

Meeting No. 785

THE MINUTES OF THE BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Pages 1-95  
and  
Docket No. 4 of the  
Office of the Chancellor

U. T. System through U. T. Austin

June 10-11, 1982

Port Aransas, Texas

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## MEETING NO. 785

THURSDAY, JUNE 10, 1982.--The members of the Board of Regents of The University of Texas System convened in regular session at 1:00 p. m. on Thursday, June 10, 1982, in the second floor hallway of the Main Building at The University of Texas at Austin Marine Science Institute in Port Aransas, Texas, with the following in attendance:

ATTENDANCE.--Present

Chairman Powell, presiding  
 Vice-Chairman Fly  
 Vice-Chairman Rhodes  
 Regent (Mrs.) Blumberg  
 Regent (Mrs.) Briscoe  
 Regent Hay  
 Regent (Mrs.) Milburn  
 Regent Newton  
 Regent Richards

Absent

FILE NO. I-5  
 DOCUMENT       
 REMARKS     

Executive Secretary Dilly

Chancellor Walker  
 Executive Vice Chancellor Jordan  
 Executive Vice Chancellor Mullins

Chairman Powell announced a quorum present and called the meeting to order. He stated that since the recommended 1982-83 Operating Budgets of The University of Texas System would be under consideration in separate meetings of the Academic Affairs, Health Affairs, Finance and Audit and Land and Investment Committees, it would be helpful for Chancellor Walker to present a general overview of these budgets.

U. T. SYSTEM: STATEMENT BY CHANCELLOR WALKER REGARDING THE 1982-83 OPERATING BUDGETS, INCLUDING EDUCATIONAL AND GENERAL BUDGETS, AUXILIARY ENTERPRISES, CONTRACT AREAS, CURRENT RESTRICTED AND DESIGNATED FUNDS, AND SERVICE AND REVOLVING FUND ACTIVITIES.--Chairman Powell called on Chancellor Walker who submitted the following statement with regard to the proposed 1982-83 Operating Budgets of The University of Texas System:

FILE NO. 41  
 DOCUMENT       
 REMARKS     

"Draft copies of the proposed Operating Budgets for 1982-83 were mailed to you on May 26, 1982. The initial drafts prepared by the institutions were reviewed in detail with System Administration, with the appropriate Executive Vice-Chancellor presiding at the hearings. Changes or modifications, as appropriate, were incorporated in the proposed budgets. The mailing on May 26, 1982 also included summaries of the budgets and supplemental materials which provide a comprehensive review of all of the budgets in the U. T. System.

"The budgets were written within the resources available to the institutions and adhere to the 1982-83 budget policies adopted by the Board of Regents at the meeting of December 10-11, 1981.

"The recommendations for salary increases for all personnel are subject to the current regulations and directives included in the General Appropriations Bill, Article III, Section 22, of H.B. 656 which reads in part, as follows:

'Sec. 22.

(a) All regular employees, excluding ranked faculty in the ranks of Professor, Associate Professor, Assistant Professor and Instructor.... shall receive a minimum annual salary increase of 3.7% in fiscal 1983.

(b) Funds are provided in the appropriations to permit salary increases of 3.7% in fiscal 1983 for all employees excluded in the preceding section (i.e. ranked faculty). Salary increases for these employees are to be awarded on the basis of merit and performance in accepted activities including teaching, research and service.

It is expressly provided that institutional administrators may grant merit salary increases to employees whose job performance and productivity is consistently above that normally expected or required.'

"All U. T. institutions were directed to apply across-the-board increases to all employees in a like category without regard to the source of funds paying the salary, i.e., auxiliary enterprises, sponsored projects, gift and grant funds, etc. As provided by the appropriations bill, faculty salary increases for ranked faculty were granted based on merit and performance in accepted activities. Merit salary increases were permitted for other employees within funds available.

"The overall budget increase from all fund sources is 13.4%. The educational and general budget is up approximately 13.6%, auxiliary enterprises are up approximately 18.1%, gifts, grants and other designated funds are up almost 18.5% and research is up approximately 4.1%.

"We have responded to a number of questions raised after you received the proposed budgets. The Chief Administrative Officers and/or the Chief Financial Officers of each of the component institutions will be available during committee meetings if there are further questions you wish to ask concerning a particular institutional budget.

"Dr. Jordan, Dr. Mullins and I recommend approval of the 1982-83 Operating Budgets for The University of Texas System by the Finance and Audit Committee,

the Academic Affairs Committee, the Health Affairs Committee and the U. T. Board of Regents, as submitted with permission to make editorial corrections and adjustments as appropriate. Subsequent adjustments will be reported to the Board through institutional Docket procedure."

At the conclusion of Chancellor Walker's statement, Chairman Powell emphasized that the 8.7% legislatively mandated salary increase had been applied to all University employees except ranked faculty. In the case of ranked faculty and in accordance with legislative direction, increases in faculty salaries were based upon merit and performance in teaching, research and service.

See Page 16 for approval of the 1982-83 Operating Budgets.

RECESS FOR COMMITTEE MEETINGS.--Chairman Powell announced that the Board would recess for the meetings of the Standing Committees (Finance and Audit, Academic Affairs, Health Affairs, Buildings and Grounds and Land and Investment) and, if time permitted following these meetings, the Board would reconvene in open session for the sole purpose of recessing to Executive Session and would not reconvene as a Board until Friday morning, June 11, 1982.

At 5:20 p. m., the Board reconvened in open session and immediately thereafter recessed to meet in Executive Session in Room 303 pursuant to V.T.C.S., Article 6252-17, Sections 2(e), (f) and (g) to discuss:

1. Pending and/or Contemplated Litigation - Section 2(e)
2. Land Acquisition, Purchase, Exchange, Lease or Value of Real Property and Negotiated Contracts for Prospective Gifts or Donations - Section 2(f)
3. Personnel Matters [Section 2(g)] Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees
  - a. U. T. System: Approval of 1982-83 Operating Budgets, Including Educational and General Budgets, Auxiliary Enterprises, Contract Areas, Current Restricted and Designated Funds, and Service and Revolving Fund Activities
  - b. U. T. Health Science Center - Houston (U. T. Medical School - Houston): Approval of Recommendation of Hearing Tribunal Regarding Nonrenewal of Appointment of Arnold Lande, M.D.

Friday, June 11, 1982

At 9:00 a.m. on Friday, June 11, 1982, the Board reconvened in open session at the same place and with the same attendance as at the meeting on Thursday, June 10, 1982.

U. T. BOARD OF REGENTS: APPROVAL OF MINUTES OF REGULAR MEETING ON APRIL 7-8, 1982. -- Upon motion of Regent Richards, seconded by Regent Hay, the Minutes of the regular meeting of the Board of Regents of The University of Texas System held on April 7-8, 1982, in Houston, Texas, were approved as distributed by Executive Secretary Dilly. The official copy of these Minutes is recorded in the Permanent Minutes, Volume XXIX, Pages 2514-3104.

ATTENDANCE

INTRODUCTION OF FACULTY AND STUDENT REPRESENTATIVES. -- Chairman Powell called on the chief administrative officers of the component institutions to introduce their respective faculty and student representatives:

FILE NO. I-5  
DOCUMENT         
REMARKS       

U. T. Arlington

President Nedderman introduced:

Faculty Representative: Dr. Bill Pinney, Chairman  
Faculty Senate

Student Representatives: Mr. Bob King, President  
Student Congress  
Ms. Marci Smith, Vice President  
Student Congress  
Mr. Rickie Windle, Contributing  
Editor, Student Publications

U. T. Austin

President Flawn introduced:

Faculty Representative: Dr. Donald Sellstrom, Chairman  
Graduate Assembly

Student Representatives: Ms. Julie Tindall, President  
Senior Cabinet  
Ms. Lisa Beyer, Editor, The Daily Texan  
Mr. David Elliott, The Daily Texan  
Mr. Frank Jannuzi, General  
Reporter, The Daily Texan

U. T. Tyler

President Hamm introduced:

Faculty Representative: Dr. Vincent J. Falzone, President-  
Elect, Faculty Senate

U. T. Cancer Center

President LeMaistre introduced:

Faculty Representative: Lester Peters, M.D., Head of  
the Division of Radiotherapy

Student Representative: Albert Yuen, M.D., Fellow in  
Radiotherapy

RECESS FOR EXECUTIVE SESSION.--At 9:10 a.m., Chairman Powell announced that the Board would recess for an Executive Session to continue its discussion of matters in accordance with Article 6252-17, Sections 2(e), (f) and (g) of Vernon's Texas Civil Statutes: Litigation, Land Acquisition, and Personnel Matters. See Page 3.

RECONVENE.--At 11:10 a.m., the Board reconvened in open session and Chairman Powell called for the reports and recommendations of the Standing Committees.

## REPORTS AND RECOMMENDATIONS OF STANDING COMMITTEES

REPORT OF EXECUTIVE COMMITTEE (Pages 6 - 15 ). --In compliance with Section 7.14 of Chapter I of Part One of the Regents' Rules and Regulations, Regent Fly, Vice-Chairman of the Executive Committee, reported to the Board for ratification and approval all actions taken by that Committee since the last meeting. Unless otherwise indicated, the recommendations of the Executive Committee were in all things approved as set forth below:

1. U. T. System: Policies for Preparation of Legislative Budget Requests for 1984-85 Biennium (2-F&A-82). -- Upon recommendation of the Executive Committee, the following policies for use in preparing the Legislative Budget Requests for the 1984-85 Biennium for The University of Texas System were approved:

FILE NO. 4.  
DOCUMENT  
REMARKS

Policies for Preparing Legislative Budget Requests  
for the Biennium 1984-85

In preparing the Legislative Budget Requests for the biennium beginning September 1, 1983, the instructions issued by the Coordinating Board, Texas College and University System, and by the Legislative Budget Office and by the Governor's Budget and Planning Office are to be used as guidelines. In preparing budget requests, the following policies and limitations shall be observed relating to areas not funded by formula or otherwise covered by the above-mentioned instructions:

a. Salary Advances for Faculty and Professional Staff

Funds may be requested to grant salary increases up to 15% in 1984 and an additional 10% in 1985.

b. Salary Advances for Classified Personnel

Funds may be requested to provide for a 13.6% increase in 1984 and an additional 10.2% increase in 1985. In addition, requests may include sufficient funds for a 3.4% merit increase for approximately one-half of all employees each year.

c. New Positions

All requests for new positions must be based on new or expanded programs or on improvements in existing programs, and be fully justified.

d. Maintenance, Operation and Equipment

The general guideline for requesting funds for this item should be for an increase up to 25% in 1984 plus an additional 10% increase in 1985. In limited situations such as scientific equipment, medical supplies, and like items, in which price escalation or other factors make the above limitations totally impractical, actual needs must be the basis for the request. In these situations the variance from the general standard stated above must be carefully justified.

e. Special Equipment

Inasmuch as equipment items included in Item d are regular and routine acquisitions, Special Equipment requests should be related only to new or expanded program requirements or major replacement and updating of obsolete teaching, research, and hospital equipment. Special Equipment requests must be based on actual needs and fully documented.

f. Utilities

Requests for Purchased Utilities are to be based on projected needs using the best available rate estimates, carefully documented. In addition, System policy supports an emergency utility request to meet deficiencies, if any, in the 1982-83 Purchased Utilities appropriations.

g. Staff Benefits

- (1) Employee Insurance Premiums. Use \$78 per month in 1984 and \$94 per month in 1985 for each person in requesting funds for payment of the State's contribution toward the cost of insurance premiums. Eligible employees are those covered under provisions of the "Texas State College and University Employees Uniform Insurance Benefits Act."
- (2) O. A. S. I. - State's Contribution of Employees' Share of Tax. As a System policy, the Legislature will be requested to continue the payment of the employees' share of the O. A. S. I. Tax and to expand the payments from the current 5.85% on \$16,500 (included in the Legislative Budget document) to the actual tax levied by the Federal Government.
- (3) Longevity Pay. Include in the institutional request an amount to fund longevity pay in accordance with the procedure and rates currently contained in H. B. 454, i. e. \$4 per month for each year of service up to a maximum of \$100 per month (25 years of service.)

h. Compensation of Resident Physicians

Pursuant to S. B. 89 as passed by the Sixty-Seventh Legislature, Regular Session, U. T. Health Science Center - Dallas, U. T. Health Science Center - Houston, and U. T. Health Science Center - San Antonio may include as a line item in their institutional budget request an amount to fund eligible resident physicians at the rate of \$15,000 per year.

2. U. T. System - Depository Bank Agreements: Authorization for First City National Bank of Houston and Texas Commerce Bank - Austin to Use a Depository Bond with The Aetna Casualty & Surety Company to Secure Deposits and Delegation to the Chancellor to Approve Future Depository Bonds (3-L&I-82 and 4-L&I-82). --

With respect to the depository banks approved for The University of Texas System, the Executive Committee recommended and the Board approved depository bonds with The Aetna Casualty & Surety Company as follows:

FILE NO. CE  
DOCUMENT         
MARKS       

- a. First City National Bank of Houston in the amount of \$40,000,000
- b. Texas Commerce Bank - Austin in the amount of \$15,000,000

Regents Briscoe, Milburn, Newton and Powell abstained from voting.

Further, the approval of future depository bonds as required in Article IV, Section 7 of the amendment to the depository agreement was delegated to the Chancellor, or his designee, when such bonds have been approved by the Office of General Counsel, are with a surety company authorized to do business in Texas, and have a rating of A, Class XV, or better, as assigned by Bests Key Rating Guide, Property-Casualty Insurers.

The form of these bonds is substantially the same as set forth on Pages 8 - 11.

DEPOSITORY BOND

Bond No.

KNOW ALL MEN BY THESE PRESENTS:

THAT, \_\_\_\_\_,  
 with its principal office at \_\_\_\_\_, Texas, as Principal  
 (hereinafter "Principal"), and \_\_\_\_\_, of  
 \_\_\_\_\_, a corporation existing under the  
 laws of the State of \_\_\_\_\_, and authorized to conduct the  
 business of Suretyship in all states of the United States of  
 America, as Surety (hereinafter "Surety"), are held and firmly  
 bound unto the Governor of the State of Texas and his successors  
 in office, for the benefit of the Board of Regents of The  
 University of Texas System (hereinafter "Payee"), in the penal  
 sum of \_\_\_\_\_ lawful  
 money of the United States, for which payment well and truly be

made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said Principal has been designated by the Board of Regents of The University of Texas System (hereinafter "Board") as a depository to receive on deposit certain of its funds under this bond; and

WHEREAS, the Principal has agreed to accept such deposits of certain of the Board's funds and, if so agreed between Principal and the Board, to pay interest upon all or any portion of such deposits, at such rates and times as may be agreed between the parties as provided by the law of the State of Texas, which interest, if any, shall be credited to the account of the Board in accordance with the terms of its bank depository agreement with the Principal.

NOW, THEREFORE, if the Principal shall provide customary and appropriate periodic reports of the funds of the Board held by it on deposit, together with interest thereon, if any, to the Board's appropriate representative(s) and shall faithfully keep and pay over on order or warrant of the Board's appropriate representative(s) with authority over the Board's funds so deposited, or to be deposited with the Principal as aforesaid, and interest thereon, if as aforesaid, and shall in all respects, save and keep the Board and the officers making the aforesaid deposit or deposits, and their successors in office, harmless and indemnified for and by reason of the making of said deposit or deposits as are secured by this bond then this obligation shall be void, otherwise to remain in full force and effect.

PROVIDED, that the Surety shall be liable hereunder only for that part of any loss which is covered under this bond, but which in no event shall exceed the penal sum of this bond, \_\_\_\_\_ . This bond is executed subject to the following conditions, which shall be

precedent to the right of the Payee to recover hereunder:

FIRST: The term of this bond begins on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_, at noon, standard time, at the place where the Principal is located, and ends on the \_\_\_\_ day of \_\_\_\_\_, 19\_\_, at noon, standard time, at said place and, if the Principal shall not have defaulted prior to the last named date, all liability hereunder on the part of the Surety shall be absolutely at an end.

SECOND: The Surety shall not be responsible for any deposits made with the Principal after there has been a default which has been discovered by Board. If there should be a default, it shall be incumbent upon the Board to give the Surety written notice within ten (10) days after discovery thereof by the Board sent by Registered Mail to the below designated Attorney-in-Fact for the Surety at its office in \_\_\_\_\_, Texas. Within ninety (90) days of said default, the Board will send a verified statement of the facts, showing such default and the date thereof, delivered by Registered Mail to such Attorney-in-Fact for the Surety at its office in \_\_\_\_\_, Texas.

THIRD: That no suit, action, or proceedings shall be brought or instituted against the Surety after the expiration of two years after such default.

FOURTH: Either the Surety or the Board may terminate this bond at any time by giving ninety (90) days' notice thereof in writing to the other party and to the Principal at the addresses indicated below, or at such other addresses as may be designated from time to time by the parties in writing by Registered Mail to the other parties, except such termination may not take effect while any of the Board's time deposits with the Principal made before receipt of such notice have matured.

FIFTH: This obligation may be continued for any subsequent period by Continuation Certificate signed by all parties hereto.

The liability of the Surety under this bond and any and all continuations hereof shall not exceed in the aggregate the penal sum of the bond.

SIGNED, SEALED, AND DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 198\_\_.

\_\_\_\_\_  
(Principal)

ATTEST: \_\_\_\_\_

By: \_\_\_\_\_  
(Title)

WITNESS: \_\_\_\_\_

By: \_\_\_\_\_  
Attorney-in-Fact

3. U. T. Austin - Experimental Science Building - Remodeling Phase I for Microbiology and Zoology (Project No. 102-500): Award of Contract for Furniture and Furnishings to Abel Contract Furniture & Equipment Co., Inc., Austin, Texas (10-B&G-82). -- The Board concurred in the recommendation of the Executive Committee and awarded a contract for furniture and furnishings for the Experimental Science Building - Remodeling Phase I for Microbiology and Zoology at The University of Texas at Austin to the lowest responsible bidder, Abel Contract Furniture & Equipment Co., Inc., Austin, Texas, as follows:

FILE NO. 200  
DOCUMENT   
REMARKS

Base Proposal "A" (Office Furniture)	\$20,511.35
Additive Alternate Proposal "A-1" (Classroom Furniture)	<u>1,919.52</u>
Total Contract Award	<u>\$22,430.87</u>

4. U. T. Austin (Marine Science Institute at Port Aransas) - Auditorium (Project No. 102-493): Award of Contract for Furniture and Furnishings to Abel Contract Furniture & Equipment Co., Inc., Austin, Texas (11-B&G-82). -- Upon recommendation of the Executive Committee, the Board awarded a contract for the furniture and furnishings for the Auditorium at The University of Texas at Austin Marine Science Institute at Port Aransas to the lowest responsible bidder, Abel Contract Furniture & Equipment Co., Inc., Austin, Texas, as follows:

FILE NO. 200  
DOCUMENT   
REMARKS

Base Proposal "A" (General Library Furniture)	\$147,588.00
Base Proposal "B" (Auditorium & Conference Room Furniture)	<u>22,633.95</u>
Total Contract Award	<u>\$170,221.95</u>

Renovation

5. U. T. Health Science Center - Dallas - Renovation of NAPA Building (Project No. 303-477): Award of Construction Contract to John T. Tanner Construction Co., Inc., Garland, Texas, Revised Total Project Cost, Additional Appropriation Therefor, Building Designated Service Building and Plaque Inscription (8-B&G-82). -- The Board concurred in the recommendation of the Executive Committee and:

FILE NO. 200  
DOCUMENT  
MARKS

- a. Awarded a construction contract for the Renovation of the NAPA Building at The University of Texas Health Science Center at Dallas to the lowest responsible bidder, John T. Tanner Construction Co., Inc., Garland, Texas, as follows:

Base Bid	\$628,218
Alternate No. 1 (A. C Economizer Cycle)	44,147
Alternate No. 2 (Pneumatic Temperature Controls New Work)	61,043
Alternate No. 3 (Pneumatic Temperature Controls Replacement Work)	<u>31,540</u>
Total Contract Award	<u>\$764,948</u>

- b. Authorized a revised total project cost of \$1,150,000 to cover the construction contract award, fees, furniture and equipment, and related project expenses
- c. Appropriated \$1,090,000 from U. T. Health Science Center - Dallas Unexpended Plant Funds for total project funding (Previous appropriations had been \$60,000 from the same source.)
- d. Designated this building the Service Building
- e. Approved the inscription set forth below for the plaque to be placed on the building (This inscription follows the standard pattern approved by the U. T. Board of Regents on June 1, 1979.)

SERVICE BUILDING

1982

BOARD OF REGENTS

- |   |  |
|---|--|
| James L. Powell, Chairman                 | E. D. Walker   |
| Sterling H. Fly, Jr., M.D., Vice-Chairman | Chancellor, The University of Texas System                         |
| Tom B. Rhodes, Vice-Chairman              | Charles C. Sprague, M.D.   |
| Jane Weinert Blumberg<br>(Mrs. Roland K.) | President, The University of Texas Health Science Center at Dallas |
| Janey Briscoe<br>(Mrs. Dolph)             |  |
| Jess Hay                                  |  |
| Beryl Buckley Milburn                     | Dahl, Braden, Chapman, Inc.  |
| Jon P. Newton                             | Project Architect  |
| Howard N. Richards                        | John T. Tanner Construction Co., Inc.<br>Contractor                |

This project was approved by the Coordinating Board, Texas College and University System on October 30, 1981.

6. U. T. Health Science Center - Houston - Cyclotron Facility  
(Project No. 701-514): Award of Construction Contract to  
W. J. Hessert Construction Company, Inc., Houston, Texas,  
Subject to Approval of the Certificate of Need by the Health  
Facilities Commission and Plaque Inscription (9-B&G-82). --  
Upon recommendation of the Executive Committee, the Board:

FILE NO. 200  
DOCUMENT   
REMARKS 1

a. Awarded a construction contract for the Cyclotron Facility at The University of Texas Health Science Center at Houston to the lowest responsible bidder, W. J. Hessert Construction Company, Inc., Houston, Texas, as follows, subject to approval of the Certificate of Need by the Health Facilities Commission prior to execution of the contract:

Base Bid	\$2,365,000
Alternate No. 1 (Precast Concrete in lieu of Cast-in-Place)	18,500
Alternate No. 2A (Laboratory Casework in Labs 1.106 and 1.108)	64,000
Alternate No. 3A (Laboratory Casework in Lab 2.114)	55,000
Alternate No. 4A (Laboratory Casework in Lab 2.112)	42,000
Alternate No. 5 (Closed Circuit TV System)	28,000
Alternate No. 6 (Security System)	5,400
Alternate No. 7 (Intercom System)	10,500
Alternate No. 8 (Radiation Monitoring Systems)	64,600
Total Contract Award	<u>\$2,653,000</u>

b. Authorized a total project cost of \$3,800,000 to cover the construction contract award, fees, equipment and related project expenses

c. Approved the inscription set forth below for the plaque to be placed on the building (This inscription follows the standard pattern approved by the U. T. Board of Regents on June 1, 1979.)

CYCLOTRON FACILITY

1982

BOARD OF REGENTS

- |   |   |
|---|---|
| James L. Powell, Chairman                 | E. D. Walker  |
| Sterling H. Fly, Jr., M.D., Vice-Chairman | Chancellor, The University of Texas System                          |
| Tom B. Rhodes, Vice-Chairman              | Roger J. Bulger, M.D.   |
| Jane Weinert Blumberg<br>(Mrs. Roland K.) | President, The University of Texas Health Science Center at Houston |
| Janey Briscoe<br>(Mrs. Dolph)             |   |
| Jess Hay                                  |   |
| Beryl Buckley Milburn                     | Morris-Aubry Architects   |
| Jon P. Newton                             | Project Architect   |
| Howard N. Richards                        | W. J. Hessert Construction Company, Inc.<br>Contractor              |

This project was approved by the Coordinating Board, Texas College and University System on April 24, 1981.

7. U. T. System Administration, U. T. El Paso, U. T. Galveston Medical Branch and U. T. Cancer Center: Amendments to 1981-82 Budgets (6-B-82). -- Upon recommendation of the Executive Committee, the Board approved amendments to the 1981-82 Operating Budgets as indicated on the pages set forth below:

FILE NO. 41  
DOCUMENT ---  
REMARKS ---

- The University of Texas System Administration, Page 14
- The University of Texas at El Paso, Page 14
- The University of Texas Medical Branch at Galveston, Page 15
- The University of Texas System Cancer Center, Page 15

The source of funds will be from departmental appropriations unless otherwise specified.

THE UNIVERSITY OF TEXAS SYSTEM ADMINISTRATION

981-82 BUDGET

Item No.	Explanation	Source of Funds	Application of Funds	Effective Date
1.	Legal Expenses and Other Services Transfer of Funds	From: Available University Fund - Allocation for Operations and Capital Improvements	<u>Law Office</u> To: Legal Expenses and Other Services	FILE NO. <u>0</u> DOCUMENT <u>---</u> REMARKS <u>---</u>
	Amount of Transfer	\$25,000	\$25,000	3-1-82

THE UNIVERSITY OF TEXAS AT EL PASO

981-82 BUDGET

Item No.	Explanation	Present Rate	Proposed Rate	Effective Date
1.	Intercollegiate Athletics - Basketball Head Basketball Coach Don L. Haskins	\$ 39,652	\$ 45,000	3-1-82
	Source of Funds: Intercollegiate Athletics Salaries - Auxiliary Enterprises Funds			

THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

3119

81-82 BUDGET

Item No.	Explanation	Source of Funds	Application of Funds	Effective Date
1.	Plant Funds Projects Transfer of Funds	From: General Funds Unappropriated Balance (via Estimated Income)	To: Plant Funds Projects- Hospital Equipment \$1,500,000 Hospital Area Renovations 750,000 Utility Dis- tribution 250,000 Remodel Graves Hall for Faculty Offices 500,000 Project Allo- cation 2,000,000	
	Amount of Transfer	<u>\$5,000,000</u>	<u>\$5,000,000</u>	3-1-82

THE UNIVERSITY OF TEXAS SYSTEM CANCER CENTER

81-82 BUDGET

Item No.	Explanation	Source of Funds	Application of Funds	Effective Date
1.	Plant Funds Projects Transfer of Funds	From: General Funds Unappropriated Balance (via Estimated Income)	To: Unexpended Plant Funds - Renovation of Houston Main Building Space (Prudential Bldg.) \$600,000	
	Amount of Transfer	\$600,000	\$600,000	3-1-82

FILE NO. 200  
DOCUMENT ---  
REMARKS ---

REPORT AND RECOMMENDATIONS OF THE FINANCE AND AUDIT COMMITTEE (Pages 16 - 18 ). --Committee Chairman Rhodes reported that the Finance and Audit Committee had met in open session on Thursday, June 10, 1982, to consider those matters on its agenda and to formulate recommendations for the U.T. Board of Regents. Unless otherwise indicated, all actions set forth in the Minute Orders which follow were recommended by the Finance and Audit Committee and approved in open session and without objection by the U.T. Board of Regents:

1. U.T. System: Docket No. 4 of the Office of the Chancellor (Catalog Change). --Upon the recommendation of the Finance and Audit Committee, the Board approved Docket No. 4 of the Office of the Chancellor in the form distributed by the Executive Secretary. It is attached following Page 95 and made a part of these Minutes.

FILE NO. 0  
DOCUMENT ---  
REMARKS ---

It was expressly authorized that any contracts or other documents or instruments approved therein had been or shall be executed by the appropriate officials of the respective institution involved.

It was ordered that any item included in the Docket that normally is published in the institutional catalogs be reflected in the next appropriate catalog published by the respective institution.

2. U.T. System: Approval of 1982-83 Operating Budgets, Including Educational and General Budgets, Auxiliary Enterprises, Contract Areas, Current Restricted and Designated Funds, and Service and Revolving Fund Activities and Authorization for the Office of the Chancellor to Make Editorial Corrections Therein. -- Committee Chairman Rhodes reported that the recommended 1982-83 Operating Budgets for The University of Texas System had been considered by the Academic Affairs, Health Affairs, Finance and Audit and Land and Investment Committees, and that the personnel aspects had been considered in Executive Session. As a result of these discussions, the Finance and Audit Committee recommended and the Board approved as amended with regard to certain personnel matters the 1982-83 Operating Budgets, Including Educational and General Budgets, Auxiliary Enterprises, Contract Areas, Current Restricted and Designated Funds, and Service and Revolving Fund Activities for The University of Texas System as listed below:

FILE NO. 41  
DOCUMENT ---  
REMARKS ---

The University of Texas System Administration (including the Available University Fund)  
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 at San Antonio  
The University of Texas at Tyler  
The University of Texas Institute of Texan Cultures at San Antonio  
The University of Texas Health Science Center at Dallas  
The University of Texas Medical Branch at Galveston

The University of Texas Health Science Center at Houston  
 The University of Texas Health Science Center at  
 San Antonio  
 The University of Texas System Cancer Center  
 The University of Texas Health Center at Tyler

These budgets are a part of the Minutes of this meeting, and the official copy is in bound Volume XXXVII entitled Annual Budgets for 1982-83.

On further recommendation of the Finance and Audit Committee, the Board authorized the Office of the Chancellor to make editorial corrections in the 1982-83 Operating Budgets and subsequent adjustments to be reported to the Board through the institutional dockets.

Subsequent to this action in the report of the Land and Investment Committee (Page 91), an additional amendment to the 1982-83 Operating Budgets with regard to the funding of The Centennial Teachers and Scholars Program at The University of Texas at Austin was approved.

See Page 1 for Chancellor Walker's statement regarding the 1982-83 Operating Budgets.

FILE NO. 400  
 DOCUMENT ---  
 REMARKS ---

3. U. T. System: Renewal of Automobile Liability Insurance Coverage for Additional Year (Beginning September 1, 1982) with Granite State Insurance Company for Officers and Employees' Use and Operation of University-Owned and Operated Motor Vehicles and Mobile Equipment. -- Upon the recommendation of the Finance and Audit Committee, the Board authorized a one year renewal (beginning September 1, 1982) of the automobile liability insurance coverage with Granite State Insurance Company for officers and employees' use and operation of University-owned and operated motor vehicles and mobile equipment. This policy is subject to the rates and premium discount prescribed by the State Board of Insurance, the loss experience modifier as published by the State Insurance Service Office, and the dividend rate as filed with the State Board of Insurance.

This policy is a continuation of the policy originally approved by the U. T. Board of Regents on July 29, 1977.

4. U. T. System: Approval of Officers and Directors Liability Insurance Policy with the Chubb Group for a Three Year Period Beginning June 16, 1982. -- The Board authorized the award of a contract for The University of Texas System Officers and Directors Liability Insurance Policy to the Chubb Group for a three year premium not to exceed \$30,000 to be effective June 16, 1982.

FILE NO. 400  
 DOCUMENT ---  
 REMARKS ---

5. U. T. System: Award of Contracts for 1982-83 to Aetna Life and Casualty Company for Employee Group Health, Life and Accidental, Death and Dental Insurance. -- The Board awarded the 1982-83 health, life and accidental death, and dental insurance contracts for

FILE NO. 400(2)  
 DOCUMENT ---  
 REMARKS ---

employees of The University of Texas System to Aetna Life and Casualty Company, the lowest responsible bidder, as follows:

a. Health insurance with monthly rates:

	<u>1UT</u>	<u>2UT</u>	<u>Plan</u> <u>3UT</u>	<u>4UT</u>
Employee	\$ 77.57	\$ 61.69	\$ 44.41	\$27.27
Employee and Spouse	186.02	131.96	107.37	80.38
Employee and Child	139.84	100.05	80.57	59.59
Family	203.01	143.76	116.99	87.85

b. Life and accidental death insurance:

The life and accidental death coverages, presently provided by Aetna, will be continued, and there will be no rate increase for 1982-83 for either of these coverages.

c. Dental insurance with monthly rates:

Employee	\$ 7.75
Employee and Spouse	14.53
Employee and Child	19.33
Family	26.11

It was pointed out that effective September 1, 1982, the State employee appropriation for insurance would increase to \$58 per month and that an employee may waive all U. T. group insurance or choose to apply the employer contribution to life, accidental death and dismemberment, long term disability or health and dental coverages.

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 19 - 29) -- Committee Chairman (Mrs.) Blumberg reported that the Academic Affairs Committee had met in open session on Thursday, June 10, 1982, to consider those matters on its agenda and to formulate recommendations for the U.T. Board of Regents. Unless otherwise indicated, all actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U.T. Board of Regents:

Outside Employment

1. U.T. Austin: Authorization for a Leave of Absence Without Pay to Dr. Michael F. Mewshaw, Associate Professor, Department of English, for the 1982-83 Academic Year [Regents' Rules and Regulations, Part One, Chapter III, Section 16]. -- Approval was granted for a leave of absence without pay to Dr. Michael F. Mewshaw, Associate Professor, Department of English, at The University of Texas at Austin for the 1982-83 academic year to complete work funded by a John Simon Guggenheim Memorial Foundation fellowship.

FILE NO. B  
DOCUMENT       
REMARKS     

This leave of absence is granted in accordance with Section 16, Chapter III, Part One of the Regents' Rules and Regulations.

Outside Employment

2. U.T. Austin: Permission for Dr. Martha S. Williams to Serve on the Texas House of Representatives Select Committee to Investigate the Department of Mental Health and Mental Retardation [Regents' Rules and Regulations, Part One, Chapter III, Sections 13.(10) and 13.(11)]. -- Permission was granted for Dr. Martha S. Williams, Dean of the School of Social Work at The University of Texas at Austin, to serve on the Texas House of Representatives Select Committee to Investigate the Department of Mental Health and Mental Retardation for a term from April 1, 1982 through September 1982. Dr. Williams' service on this committee will require a total commitment of approximately three to five days and will be without remuneration.

FILE NO. B  
DOCUMENT       
REMARKS     

This appointment is of benefit to the State of Texas and creates no conflict with Dr. Williams' regular duties at U.T. Austin. It is in accordance with approval requirements for positions of honor, trust or profit provided in Article 6252-9a of Vernon's Civil Statutes and Sections 13.(10) and 13.(11), Chapter III, Part One of the Regents' Rules and Regulations.

3. U.T. Austin: Approval of Private Fund Development Campaigns for the (a) School of Architecture, (b) College of Communication, (c) College of Education, and (d) School of Nursing [Regents' Rules and Regulations, Part One, Chapter VII, Section 2.44] and Naming of Facilities Other Than Buildings as a Part Thereof [Regents' Rules and Regulations, Part One, Chapter VIII, Section 1]. -- In accordance with the Regents' Rules and Regulations, Part One, Chapter VII, Section 2.44, approval was given to private fund development campaigns at The University of Texas at Austin for the (a) School of Architecture, (b) College of Communication, (c) College of Education and (d) School of Nursing and to the naming of facilities other than buildings as a part thereof pursuant to Section 1 of Chapter VIII of Part One of the Regents' Rules and Regulations.

FILE NO. 11  
DOCUMENT       
REMARKS     

In accordance with the Regents' Rules and Regulations, specific recommendations regarding the naming of facilities as part of these special private fund development campaigns will be submitted to the Board of Regents for approval.

4. U. T. Austin: Approval to Rename the Geology Library in the College of Natural Sciences the Joseph C. Walter, Jr. and Elizabeth C. Walter Geology Library (Regents' Rules and Regulations, Part One, Chapter VIII, Section 1.2). -- In accordance with Section 1.2 of Chapter VIII of Part One of the Regents' Rules and Regulations, the Geology Library in the College of Natural Sciences at The University of Texas at Austin was renamed the Joseph C. Walter, Jr. and Elizabeth C. Walter Geology Library in recognition of Mr. and Mrs. Walter's support of the Department of Geological Sciences at U. T. Austin.

B  
FILE NO. 200  
DOCUMENT  
REMARKS

5. U. T. Austin: Amendments to The Centennial Teachers and Scholars Program. -- The Centennial Teachers and Scholars Program at The University of Texas at Austin was approved by the U. T. Board of Regents on August 14, 1981, and the guidelines were subsequently amended on October 9 and December 11, 1981, and April 8, 1982.

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Upon the recommendation of the Academic Affairs Committee and with the concurrence of the Board, the provisions relating to The Centennial Teachers and Scholars Program at U. T. Austin were revised by amending guideline f(5), adding a new guideline f(9), and renumbering present guidelines f(9) and f(10) as f(10) and f(11) respectively.

The provisions relating to The Centennial Teachers and Scholars Program at U. T. Austin as amended are set forth below in their entirety:

- a. that The Centennial Teachers and Scholars Program be established to be effective September 1, 1981;
- b. that, except as provided in Item f(6) below, The Centennial Teachers and Scholars Program cease on August 31, 1983;
- c. that \$10 million in Available University Fund monies be earmarked for The Centennial Teachers and Scholars Program for the fiscal year beginning September 1, 1981; that, with the prior approval of the Board of Regents, additional Available University Fund monies (if needed and available) may be earmarked for the program during Fiscal Year 1982;

[Note: See Page 91 for increase to \$20,000,000.]

- d. that the President of U. T. Austin and the Chancellor of the U. T. System be instructed to recommend in the summer of 1982 an amount of Available University Fund monies to be earmarked for The Centennial Teachers and Scholars Program for the fiscal year beginning September 1, 1982;

[Note: See Page 91 for allocation of \$15,000,000.]

- e. that the President of U. T. Austin and the Chancellor of the U. T. System be instructed to report to the Board in the summer of 1983 as to the desirability of continuing under another name a program of matching private grants for the endowment of academic positions out of the Available University Fund; and
- f. that, subject to the availability of matching funds, the President of U. T. Austin and the Office of the Chancellor of the U. T. System shall make recommendations to the Board of Regents for the matching of individual private grants with

Available University Fund monies under The Centennial Teachers and Scholars Program pursuant to the following guidelines:

- (1) that matching monies be available only for grants from private sources in amounts that will, at a minimum, fully fund one of the endowed academic positions provided for in Section 4 of Chapter I of Part Two of the Regents' Rules and Regulations as the Section now reads or as it later may be amended;
- (2) that once the condition in (1) above is met, the Board of Regents agrees to match from the Available University Fund each dollar granted by private sources, at the donor's option as follows:
  - (a) the Board of Regents will provide matching monies in an amount sufficient to double the size of the grant for the establishment of one endowed academic position; or
  - (b) the Board of Regents will allow the grant to be divided and will provide matching monies on a dollar-for-dollar basis to each divided portion of the grant in order to establish additional endowed academic positions that require the same or a lesser minimal amount for establishment; or
  - (c) if a donor endows two or more academic positions in one academic unit of the University which endowments, when added together, are equivalent to or greater than the value of another endowed academic position, the Board of Regents will, from matching monies, create in the same or another academic unit of the University an endowed academic position of the equivalent value;
- (3) that, other than the matching of private grants with Available University Fund monies, all provisions of Section 4 of Chapter I of Part Two of the Regents' Rules and Regulations as that section now reads or as it later may be amended will be in full force and effect;
- (4) that the investment procedures for the endowments established under The Centennial Teachers and Scholars Program be the same as those established for other endowments of academic positions;
- (5) that The Centennial Teachers and Scholars Program be effective for gifts (whether new endowments or pledges paid on previously established endowments) received on or after September 1, 1981 and, except as provided in (6) below, before or on August 31, 1983;
- (6) that matching monies made available under The Centennial Teachers and Scholars Program be available for matching pledges made before or on August 31, 1983 if the pledges are to be fulfilled during the two-year period following August 31, 1983;

- 7) that matching monies made available under The Centennial Teachers and Scholars Program be available for matching testamentary grants insofar as the terms of the last will and testament of the donor, the wishes of the donor as determined by the last will and testament, and these guidelines are in harmony:
- (8) that, should The Business School Foundation, The University of Texas Law School Foundation, The Lyndon Baines Johnson Foundation, The Texas Longhorn Education Foundation, Inc., or The University of Texas Foundation, Inc. (five closely cooperating external foundations) elect to transfer to The University of Texas at Austin the corpus of any grant made to any of them on or after September 1, 1980 for the endowment of academic positions at The University of Texas at Austin, matching monies made available under The Centennial Teachers and Scholars Program will be available for matching purposes under these guidelines:
- (9) that, should the Business School Foundation (a closely cooperating external foundation) elect to transfer to The University of Texas at Austin the corpus of any grant (along with any pledges collected and income accrued to the date of transfer) made to it for the endowment of an academic position at The University of Texas at Austin on or after September 1, 1979, but before September 1, 1980, matching monies will be made available to match all additions to the corpus of such an endowment that have been made (or will accrue) on or after September 1, 1980;
- (10) that for each grant during the 1981-83 biennium to The Business School Foundation, The University of Texas Law School Foundation, The Lyndon Baines Johnson Foundation, The Texas Longhorn Education Foundation, Inc., or The University of Texas Foundation, Inc., that is irrevocably dedicated to fully fund one of the endowed academic positions listed in Section 4 of Chapter I of Part Two of the Regents' Rules and Regulations, the U. T. System Board of Regents will consider establishing within the University a matching endowed academic position of identical value, subject to certification by the Office of General Counsel that the terms of the grant to the Foundation irrevocably guarantee that the income from the endowment perpetually will be distributed to The University of Texas at Austin; and
- (11) that payments of pledges for the establishment of endowed academic positions be matched as received if the first amount paid is at least equivalent to the value of the smallest endowed academic position provided for in the Regents' Rules and Regulations with the proviso that should any subsequent pledge not be received, the endowed academic position established pursuant to the original pledge will be reduced to a level or levels equivalent to the value of payments received and in hand at the time the pledges cease to be paid.

6. U. T. Austin: Appointments to Endowed Academic Positions in the (a) College of Business Administration and Graduate School of Business; (b) College of Communication; (c) College of Engineering; (d) Lyndon B. Johnson School of Public Affairs; (e) School of Law; (f) College of Liberal Arts; and (g) College of Natural Sciences Effective September 1, 1982. --Approval by the Board was given to appoint the following at The University of Texas at Austin effective September 1, 1982, with the understanding that the professors would vacate any currently held endowed positions on the effective date of the new appointments:

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a. College of Business Administration and Graduate School of Business

(1) Dr. Mark I. Alpert, Professor in the Department of Marketing Administration, the initial holder of the La Quinta Motor Inns, Inc. Centennial Professorship in Business

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(2) Dr. Timothy W. Ruefli, H.B. "Hank" Harkins Professor of Constructive Capitalism and Professor of Management, the first holder of the Favez Sarofim & Co. Centennial Professorship in Business

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b. College of Communication

Dr. Frederick N. Martin, Professor, Department of Speech Communication, the initial holder of the Lillie Hage Jamail Centennial Professorship

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c. College of Engineering

(1) Dr. John R. Howell, Professor, Department of Mechanical Engineering, to the E. C. H. Bantel Professorship for Professional Practice

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REMARKS \_\_\_\_\_

(2) Dr. Joseph A. Yura, Professor, Department of Civil Engineering, the initial holder of the Warren S. Bellows Centennial Professorship in Civil Engineering

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(3) Dr. James O. Jirsa, Professor, Department of Civil Engineering, the first holder of the Stanley P. Finch Centennial Professorship in Engineering

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(4) Dr. William C. Duesterhoeft, Jr., Professor, Department of Electrical Engineering, to the B. N. Gafford Professorship in Electrical Engineering

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REMARKS \_\_\_\_\_

(5) Dr. Robert Herman, Professor, Department of Civil Engineering, the first holder of the L. P. Gilvin Centennial Professorship in Civil Engineering

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| 6) Dr. Augusto L. Podio, Professor, Department of Petroleum Engineering, to <u>The Halliburton Annual Professorship</u> ,  | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 7) Dr. Lee E. Baker, Professor, Department of Electrical Engineering, the initial holder of the <u>Robert L. Parker, Sr. Centennial Professorship in Engineering</u>                     | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 8) Dr. Jason L. Speyer, Professor, Department of Aerospace Engineering and Engineering Mechanics, the first holder of the <u>Harry H. Power Professorship in Engineering</u>             | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 9) Dr. Edward J. Powers, Jr., B. N. Gafford Professor in Electrical Engineering, to the <u>Texas Atomic Energy Research Foundation Professorship in Engineering</u>                      | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 10) Dr. Richard L. Tucker, Professor, Department of Civil Engineering, the first holder of the <u>C. T. Wells Professorship in Project Management</u>                                    | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 11) Dr. Kenneth Gray, The Halliburton Annual Professor in Engineering, the initial holder of the <u>Zarrow Centennial Professorship in Petroleum Engineering</u>                         | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 12) Dr. Richard W. Miksad, Associate Professor, Department of Civil Engineering, the first holder of the <u>Raymond F. Dawson Centennial Teaching Fellowship in Engineering</u>          | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 13) Dr. Steven I. Marcus, Associate Professor, Department of Electrical Engineering, the initial holder of the <u>Werner W. Dornberger Centennial Teaching Fellowship in Engineering</u> | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 14) Dr. Karl H. Frank, Associate Professor, Department of Civil Engineering, the first holder of the <u>Phil M. Ferguson Centennial Teaching Fellowship in Civil Engineering</u>         | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 15) Dr. Charles A. Sorber, Associate Professor, Department of Civil Engineering, the initial holder of the <u>John A. Focht Centennial Teaching Fellowship in Civil Engineering</u>      | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 16) Dr. Gary L. Wise, Associate Professor, Department of Electrical Engineering, the first holder of the <u>Carroll D. Simmons Centennial Teaching Fellowship in Engineering</u>         | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |
| 17) Dr. Charles M. Walton, Associate Professor, Department of Civil Engineering, the initial holder of the <u>J. Neils Thompson Centennial Teaching Fellowship in Civil Engineering</u>  | FILE NO. <u>1570</u><br>DOCUMENT _____<br>REMARKS _____ |

- (18) Dr. Herbert H. Woodson, Professor, Department of Electrical Engineering and Texas Atomic Energy Research Foundation Professor of Engineering, the initial holder of the Ernest H. Cockrell Centennial Chair in Engineering

FILE NO. 1070  
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REMARKS

- (19) Dr. Paul A. Jensen, Professor, Department of Mechanical Engineering, to the Jack S. Josey Professorship in Energy Studies for the period 1982-84

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The Jack S. Josey Professorship is a rotating position in the Colleges of Business Administration, Engineering and Natural Sciences.

3. Lyndon B. Johnson School of Public Affairs

Mr. W. Terrell Blodgett, currently Principal-in-Charge, Government Services Consulting for Peat, Marwick, Mitchell & Co., the initial holder of the Mike Hogg Professorship of Urban Management

FILE NO. 1070  
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REMARKS

It was noted that Mr. Blodgett is being appointed a professor in the Lyndon B. Johnson School of Public Affairs effective September 1, 1982.

See Page 87 for establishment of this Professorship.

e. School of Law

Professor Alan S. Rau to the Liddell, Sapp, Zivlev & Brown Professorship in Banking, Financial, Commercial and Corporate Law for the 1982-83 academic year

FILE NO. 1070  
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f. College of Liberal Arts

Dr. Terry G. Jordan, presently Professor and Chairman of Geography at North Texas State University, to the Walter Prescott Webb Chair in History and Ideas

FILE NO. 1070  
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REMARKS

Dr. Jordan is being appointed Professor in the Department of Geography at U.T. Austin effective September 1, 1982.

g. College of Natural Sciences

- (1) Dr. William E. Galloway, Senior Research Scientist, Bureau of Economic Geology, to the Leslie Bowling Professorship in Geological Sciences on a half-time visiting basis for the 1982-83 Fall Semester

FILE NO. 1070  
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REMARKS

- (2) Dr. R. Malcolm Brown, Jr., who is being appointed Professor of Botany effective July 1, 1982, the first holder of the Johnson & Johnson Centennial Chair in Plant Cell Biology

FILE NO. 1070  
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REMARKS

See Page 86 for establishment of this Chair.

- 3) Dr. Billie L. Turner, Professor of Botany and Director, Plant Resources Center, the first holder of the Sidney F. and Doris Blake Centennial Professorship in Systematic Botany and the Blake Collection

FILE NO. 1000  
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REMARKS

See Page 82 for establishment of this Professorship.

- 4) Dr. Robert E. Boyer, Professor, Department of Geological Sciences and Dean, College of Natural Sciences, the initial holder of the Robert E. Boyer Centennial Professorship in Geology

FILE NO. 1000  
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REMARKS

See Page 83 for establishment of this Professorship.

- 5) Dr. Daniel S. Barker, Professor, Department of Geological Sciences, to the Fred M. Bullard Professorship in Geological Sciences

FILE NO. 1000  
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REMARKS

- 6) Dr. Robert L. Folk, J. Nalle Gregory Professor in Sedimentary Geology, the initial holder of the Dave P. Carlton Centennial Professorship in Geology

FILE NO. 1000  
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- 7) Dr. Milo M. Backus, Wallace E. Pratt Professor in Geophysics, the first holder of the Dave P. Carlton Centennial Professorship in Geophysics

FILE NO. 1000  
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- 8) Dr. William L. Fisher, Professor, Department of Geological Sciences and Director, Bureau of Economic Geology, the initial holder of the Morgan J. Davis Centennial Professorship in Petroleum Geology

FILE NO. 1000  
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- 9) Dr. Lynton S. Land, Professor, Department of Geological Sciences, to the J. Nalle Gregory Professorship in Sedimentary Geology

FILE NO. 1000  
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REMARKS

- 10) Dr. Earle F. McBride, Professor and Chairman, Department of Geological Sciences, the first holder of the Wilton E. Scott Centennial Professorship in the Department of Geological Sciences

FILE NO. 1000  
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- 11) Dr. William R. Muehlberger, Fred M. Bullard Professor in Geological Sciences, the initial holder of The Second Mr. and Mrs. Charles E. Yager Professorship

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- 12) Dr. Keith Young, Professor, Department of Geological Sciences, the first holder of The Third Mr. and Mrs. Charles E. Yager Professorship

FILE NO. 1000  
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Dormitory +

7. U.T. El Paso: Approval of Rate Increases for Residence Halls and Student Apartments Effective Fall Semester 1982 (Catalog Change). -- In order to meet the escalating costs for food service, salaries, utilities and maintenance, the Board approved rental rates for Residence Halls and Student Apartments at The University of Texas at El Paso effective with the Fall Semester 1982 as set forth below:

The University of Texas at El Paso  
Rate Schedule for 1982-83

FILE NO. 13  
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el

Residence Halls and Student Apartments

Kelly and Barry Halls  
Room and Board

Semester Contract	<u>4 1/2 Months</u>
Double Room	\$1,105
Suite for Four (Kelly Hall Only)	1,170
Long Session Contract	<u>9 Months</u>
Double Room	2,005
Suite for Four (Kelly Hall Only)	2,120
Single Occupancy (When Available)	3,009
Summer Session	<u>Each Term</u>
Double Room	420
Single Occupancy (When Available)	600

Student Apartments

Monthly (Includes Utilities) 225

Each room and suite in the residence halls is provided with a telephone. Twenty meals per week are provided for board.

Authorization was given to amend the next published catalog at The University of Texas at El Paso to conform to this action.

8. U.T. El Paso: Authorization to Establish a Master of Science Degree in Computer Science and to Submit to the Coordinating Board for Approval (Catalog Change). -- Authorization was given to establish a Master of Science Degree in Computer Science at The University of Texas at El Paso and to submit the proposal to the Coordinating Board, Texas College and University System for review and appropriate action. The Master's program will provide education beyond the Bachelor's degree for those individuals who wish to play a leadership role in the design and application of computer systems to business, industry and government. Students will have the option of completing a minimum of 36 hours of academic work, including two professional reports or completing at least 33 hours of academic work, including a thesis. Adequate faculty, funding and facilities are available to initiate this program.

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FILE NO. 13  
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REMARKS

If this program is approved by the Coordinating Board, the next appropriate catalog published at U.T. El Paso will be amended to conform to this action.

8. U.T. Permian Basin: Establishment of In Absentia Registration Fee Effective Fall Semester 1982 (Catalog Change). -- Upon the recommendation of the Academic Affairs Committee, the Board established a \$25.00 In Absentia Registration Fee at The University of Texas of the Permian Basin effective for the Fall Semester 1982. This fee will be used to process those candidates for degrees who have completed all requirements for graduation but need to register at U.T. Permian Basin for the purpose of having a degree conferred.

FILE NO. 14  
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REMARKS

Authorization was given to amend the next published catalog at U.T. Permian Basin to conform to this action.

10. U.T. Tyler: Authorization to Establish a Master of Arts Degree in English and to Submit to the Coordinating Board for Approval (Catalog Change). -- Authorization was given to establish a Master of Arts Degree in English at The University of Texas at Tyler and to submit the proposal to the Coordinating Board, Texas College and University System for approval. The purposes of the program are to prepare students to teach English at the elementary, secondary and junior-college levels, to offer additional training and advanced degrees to currently employed teachers, and to provide an opportunity for other interested persons to extend their liberal arts education. Existing library holdings and facilities are available to implement the program; however, the addition of two new faculty members during the next five years will be required to accommodate the projected growth of the Department of Humanities and Communication through which the program will be offered. The need of the graduate program will account for approximately one-fourth of the total new faculty required during this period of time and projected enrollments for the program indicate that it will be self-supporting within three years in terms of formula - generated income.

A-19  
FILE NO. 24  
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REMARKS

If this program is approved by the Coordinating Board, the next appropriate catalog published at U.T. Tyler will reflect this action.

11. U.T. Arlington, U.T. Austin, U.T. Dallas, U.T. El Paso, U.T. Permian Basin, U.T. San Antonio, U.T. Tyler and U.T. Institute of Texan Cultures: Nominees to Development Boards and Advisory Councils. -- Nominees to the following development boards and advisory councils of the general academic institutions of The University of Texas System were designated for vacancies occurring August 31, 1982.

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The names of those individuals accepting will be reported to the U.T. Board of Regents at a subsequent meeting.

a. The University of Texas at Arlington

- Development Board
- Graduate School of Social Work Advisory Council
- College of Business Administration Advisory Council
- School of Nursing Advisory Council

FILE NO. 10(4)  
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REMARKS

b. The University of Texas at Austin

- Development Board
- School of Architecture Foundation Advisory Council
- College of Business Administration Foundation Advisory Council
- College of Communication Foundation Advisory Council
- College of Education Foundation Advisory Council
- College of Engineering Foundation Advisory Council
- College of Fine Arts Foundation Advisory Council
- Geology Foundation Advisory Council
- Graduate School Foundation Advisory Council
- Graduate School of Library and Information Science Foundation Advisory Council
- College of Liberal Arts Foundation Advisory Council
- College of Natural Sciences Foundation Advisory Council
- Pharmaceutical Foundation Advisory Council
- School of Social Work Foundation Advisory Council
- Marine Science Institute Advisory Council
- McDonald Observatory and Department of Astronomy Advisory Council
- School of Nursing Advisory Council

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c. The University of Texas at Dallas

- Development Board
- Advisory Council for the School of Management and Administration
- Advisory Council for the Callier Center for Communication Disorders
- Advisory Council for the School of General Studies
- Advisory Council for the School of Arts and Humanities
- Advisory Council for the School of Social Sciences

FILE NO. 12 (6)  
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d. The University of Texas at El Paso

- Development Board

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 REMARKS

e. The University of Texas of the Permian Basin

- Development Board
- College of Management Advisory Council
- College of Science and Engineering Advisory Council

FILE NO. 14 (3)  
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 REMARKS

f. The University of Texas at San Antonio

- Development Board
- College of Business Advisory Council

FILE NO. 15 (2)  
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 REMARKS

g. The University of Texas at Tyler

- Development Board

FILE NO. 24  
 DOCUMENT  
 REMARKS

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

- Development Board

FILE NO. 23  
 DOCUMENT  
 REMARKS

REPORT AND RECOMMENDATIONS OF THE HEALTH AFFAIRS COMMITTEE Pages 30-56 . --Committee Chairman Newton reported that the Health Affairs Committee had met in open session on Thursday, June 10, 1982, to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, all actions set forth in the Minute Orders which follow were recommended by the Health Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

OUTSIDE EMPLOYMENT

1. U. T. Health Science Center - Dallas: Permission for Kern Wildenthal, M. D., to Serve as a Special Federal Government Employee Regents' Rules and Regulations, Part One, Chapter III, Sections 13. (10) and 13. (11). --Permission was granted for Kern Wildenthal, M. D., Dean of the U. T. Southwestern Medical School - Dallas of The University of Texas Health Science Center at Dallas, to serve as a special federal government employee for a period not to exceed six months in order to become a member of a special four-person committee of the National Institutes of Health to investigate issues of scientific fraud and to advise the government regarding ways to prevent and/or deal with it. Dr. Wildenthal's service on this committee will involve a total of no more than 10 days of work and he will receive a fee of \$100 per work day plus expenses.

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SERIALIZED \_\_\_\_\_  
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This appointment is of benefit to the State of Texas and creates no conflict with Dr. Wildenthal's regular duties at the U. T. Southwestern Medical School - Dallas. It is in accordance with approval requirements for positions of honor, trust, or profit provided in Article 6252-9a of Vernon's Civil Statutes, and Part One, Chapter III, Sections 13. (10) and 13. (11) of the Regents' Rules and Regulations.

2. U. T. Health Science Center - Dallas (U. T. Southwestern Medical School - Dallas): Activation of Dr. Morris Ziff Professorship in Rheumatology and Appointment of Morris Ziff, M. D., First Holder Effective July 1, 1982. --The Board approved the activation of the Dr. Morris Ziff Professorship in Rheumatology at the U. T. Southwestern Medical School - Dallas of The University of Texas Health Science Center at Dallas and appointed Morris Ziff, M. D., Director of the Division of Rheumatology and Professor of Internal Medicine, the first holder of the Professorship effective July 1, 1982.

1050

3. U. T. Galveston Medical Branch: Acceptance of a Grant from The Sealy & Smith Foundation, Galveston, Texas, for Funding of Several Major Renovation Projects in the 1954 Sector of the John Sealy Hospital and Old Children's Hospital. --Upon the recommendation of the Health Affairs Committee, the Board gratefully accepted a \$9,583,516 grant from The Sealy & Smith Foundation, Galveston, Texas, for funding of several major renovation projects in the 1954 sector of the John Sealy Hospital and old Children's Hospital at The University of Texas Medical Branch at Galveston. The Sealy & Smith Foundation has previously committed \$14.1 million on renovation in the 1954 sector of the John Sealy Hospital and old Children's Hospital and this grant will initiate the second phase of the overall renovation of these older facilities.

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200

It was noted that various renovation projects to be funded by this grant will be submitted to the U. T. Board of Regents for approval on an individual basis. It is anticipated that the projects will be bid over the next two years, and grants from The Sealy & Smith Foundation will be scheduled for the four-year period 1983-86.

Naming of Facilities

B  
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4. U. T. Galveston Medical Branch: Approval to Name the Learning Center Auditorium the Clark W. Thompson Auditorium Regents' Rules and Regulations, Part One, Chapter VIII, Section 1). --In accordance with Section 1 of Chapter VIII of Part One of the Regents' Rules and Regulations, the Learning Center Auditorium at The University of Texas Medical Branch at Galveston was named the Clark W. Thompson Auditorium in memory of former Congressman Thompson whose family contributed much to the growth and development of the U. T. Galveston Medical Branch.

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5. U. T. Galveston Medical Branch (U. T. Galveston Medical School): Appointment of Dr. Ronald A. Carson to the Harris L. Kempner Professorship in the Humanities in Medicine Effective Immediately. -- Approval was given to appoint Dr. Ronald A. Carson, Professor and Director, Institute for the Medical Humanities and Professor, Department of Preventive Medicine and Community Health, to the Harris L. Kempner Professorship in the Humanities in Medicine at the U. T. Galveston Medical School of The University of Texas Medical Branch at Galveston effective immediately.

Fees

6. U. T. Galveston Medical Branch: Increase in Membership Dues and Guest Charges for the Alumni Field House Effective September 1, 1982. -- In order to offset the escalating costs of salaries, utilities and maintenance of the Alumni Field House at The University of Texas Medical Branch at Galveston, the annual membership dues and guest per visit charge were increased effective September 1, 1982, as set forth below:

FILE NO. 17  
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SERIALS

	<u>Annual Rate</u>
Student	Activity Fee (No Change)
Student/Family Membership	\$ 15.00
Employee	\$ 90.00
Employee/Family Membership	\$135.00
Locker	\$ 30.00
	<u>Per Visit</u>
Guest	\$ 3.25

7. U. T. Galveston Medical Branch: Increase in Student Services Fee (Required) Effective Fall Semester 1982 (Catalog Change). --In order to cover the increased costs in existent activities supported by the Student Services Fee (Required) and to generate additional funds to support a Student Activities Coordinator and staff, the Student Services Fee (Required) at The University of Texas Medical Branch at Galveston was increased from \$5.00 per month to \$5.00 per semester credit hour, not to exceed \$60.00 per semester or summer term effective with the Fall Semester of 1982. For medical school students who do not register on the basis of semester credit hours, a Student Services Fee (Required) of \$60 per semester or summer session was approved.

17(2)

It was ordered that the next appropriate catalog published at the U. T. Galveston Medical Branch be amended to conform.

Fees

U. T. Galveston Medical Branch U. T. Galveston Allied Health Sciences School : Increase in Registration Deposit for Students Accepted for Matriculation Effective Fall Semester 1982 (Catalog Change). --The registration deposit for students accepted for matriculation at the U. T. Galveston Allied Health Sciences School of The University of Texas Medical Branch at Galveston was increased from \$10 to \$30 effective with the Fall Semester 1982, in order to provide greater protection to the School from students who are not serious in their intention to enroll. (2) 17

It was noted that the registration deposit paid by each student at the time of notification of acceptance for matriculation in the School will be forfeited to the U. T. Galveston Medical Branch if the student withdraws prior to the first day of class.

It was ordered that the next appropriate catalog published at the U. T. Galveston Medical Branch be amended to conform. (2) 17

Fees

9. U. T. Galveston Medical Branch U. T. Galveston Allied Health Sciences School : Late Registration Charge for Students Effective Fall Semester 1982 (Catalog Change). --Approval was given to a \$10 late registration charge for students in the U. T. Galveston Allied Health Sciences School of The University of Texas Medical Branch at Galveston. The collection of the late registration charge will help to defray the higher processing cost necessary in the late registration procedure.

The next appropriate catalog published at the U. T. Galveston Medical Branch will be amended to reflect this action.

Agreement

10. U. T. Galveston Medical Branch: Approval of Agreement with the Texas Department of Corrections (TDC) Related to Prison Inmate Participation in Limited Biomedical Research Protocols. --The agreement set out on Pages 33-35 by and between The University of Texas Medical Branch at Galveston and the Texas Department of Corrections (TDC) was approved. The agreement, which was prepared in accordance with federal regulations and executed by the appropriate officials of the institution and facility to be effective upon approval by the U. T. Board of Regents and the Secretary of the Department of Health and Human Services, will allow prison inmates in the new prison hospital to participate in limited biomedical research protocols, both "innovative and accepted," which have the intent and reasonable probability of improving the health and well-being of the inmates. (400)

THE STATE OF TEXAS  
COUNTY OF GALVESTON

KNOW ALL MEN BY THESE PRESENTS

THIS AGREEMENT is made and entered into on the date last herein written, between the THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON, hereinafter referred to as UTMB, and the TEXAS DEPARTMENT OF CORRECTIONS, hereinafter referred to as the TDC.

WITNESSETH:

WHEREAS, pursuant to Article 6203c-2, V.A.C.S., TDC was authorized to construct a medical facility on the campus of UTMB and UTMB was authorized to staff said facility and provide professional staff services necessary for the care of patients in such facility at the same level of care as provided for patients in other facilities of UTMB; and,

WHEREAS, UTMB and TDC share a joint concern that prisoners should not be prohibited from access to the same level of medical care available to non-prisoner patients; and

WHEREAS, in order to comply with the mandate of the Texas Legislature that UTMB shall provide the "same level of care" to both prisoners and nonprisoners, UTMB proposes to request approval, pursuant to Subsection C, Part 46 of 45 CFR, from the Secretary of the Department of Health and Human Services to authorize the involvement of TDC inmates in limited biomedical research protocols "both innovative and accepted," which have the intent and reasonable probability of improving the health and well-being of the inmates.

NOW THEREFORE, in consideration of the premises and the terms, conditions and benefits hereinafter set forth, UTMB and TDC hereby agree as follows:

1. The research must be directed toward the amelioration of health deficits associated with an identifiable human disease, disorder, disability or physical defect.

1. The research must include a therapeutic modality, drug, biological, chemical, medical, device, operative or medical, etc. or practice which has the intent and reasonable probability of improving the health or well-being of the subject.
2. The research practice must be uniformly available to patients at UTMB with an identifiable human disease, disorder, disability or physical defect irrespective of whether the patient is a prisoner or nonprisoner.
3. At the time of enrollment in the research activity the prisoner subject must be in the legal custody of the TDC and the therapeutic modality or research practice must be initiated, with an avoidance of coercion or inducement, while the subject is within a patient care facility on the UTMB campus.
4. For the prisoner subject continuing access to the therapeutic modality or research practice would, where possible, be the same as that access available to the free world subject.
5. If the research plan includes a control group, and the members of that control group may not benefit directly from the research, the subject selection process must be randomized in a manner which will assure that prisoner and nonprisoner subjects have an equal opportunity to benefit from the research.
6. The research plan must conform to all other applicable regulations set forth in the Policy and Administration Manual for UTMB.
7. The research plan must be approved by the UTMB Institutional Review Board regardless of the source of the research funding.
8. At least one member of the UTMB Institutional Review Board will be a prisoner representative, who need not be a prisoner, with appropriate background and experience to serve in that capacity, agreed upon by UTMB and TCD.
9. The UTMB Institutional Review Board will amend its General Assurance with the Department of the Health and Human Services to include the protection afforded prisoner subjects involved in limited biomedical research on prisoners conducted at UTMB pursuant to Subsection C of 45 CFR 46.

...under state law ... will be  
...participation in biomedical research will  
...taken into consideration in recommendations for parole to the  
Texas State Board of Pardons and Paroles by either TDC or TMB.

THIS AGREEMENT is executed in multiple originals on this \_\_\_\_ day  
of \_\_\_\_\_, 19\_\_ to be effective \_\_\_\_\_.

ATTEST

THE UNIVERSITY OF TEXAS  
MEDICAL BRANCH

By: \_\_\_\_\_  
William C. Levin, M.D.  
President, The University of  
Texas Medical Branch

Approved as to Content:

Approved as to Form:

\_\_\_\_\_  
Charles B. Mullins, M.D.  
Executive Vice Chancellor  
for Health Affairs

\_\_\_\_\_  
James L. Crowson  
Office of General Counsel

THE TEXAS DEPARTMENT OF  
CORRECTIONS

By: \_\_\_\_\_  
W. J. Estelle, Jr.  
Director, Texas Department  
of Corrections

Approved as to Form:

\_\_\_\_\_  
Gerald G. Fall, Jr.  
Assistant Director for  
General Counsel  
Texas Department of  
Corrections

11. U. T. Galveston Medical Branch: Establishment of the School of Nursing Advisory Council and Approval of Initial Nominees Thereto -- Regents' Rules and Regulations, Part One, Chapter VII, Section 31. -- In accordance with Section 3 of Chapter VII of Part One of the Regents' Rules and Regulations, authorization was given to establish an Advisory Council for the School of Nursing at The University of Texas Medical Branch at Galveston and initial nominees thereto were approved. The names of the nominees will be reported for the record after they have been contacted and have accepted the appointments.
12. U. T. Health Science Center - Houston (U. T. Medical School - Houston): James H. "Red" Duke, M. D., Appointed First Holder of the John B. Holmes Professorship in the Clinical Sciences Effective Immediately. -- James H. "Red" Duke, M. D., Professor of Surgery and Medical Director of the School of Allied Health Sciences program in Emergency Medical Services, was appointed the first holder of the John B. Holmes Professorship in the Clinical Sciences at the U. T. Medical School - Houston of The University of Texas Health Science Center at Houston effective immediately.

See Page 88 for establishment of this Professorship.

13. U. T. Health Science Center - Houston: Approval of Amendment to Article 15 of the Operating Agreement By and Among the Houston Academy of Medicine, Baylor College of Medicine, Texas Woman's University, U. T. Institutions at Houston, and Texas Medical Center, Inc., for Library Services of the Houston Academy of Medicine - Texas Medical Center Library. -- The Board approved the Amendment dated March 1, 1982 (Pages 36 - 37), to Article 15 of the Operating Agreement by and among the Houston Academy of Medicine, Baylor College of Medicine, Texas Woman's University, U. T. Institutions at Houston and Texas Medical Center, Inc., for library services of the Houston Academy of Medicine - Texas Medical Center Library.

The Operating Agreement and Bylaws, dated April 15, 1981, were approved by the U. T. Board of Regents at the December 10-11, 1981 meeting.

#### AMENDMENT TO OPERATING AGREEMENT DATED APRIL 15, 1981

ARTICLE 15. The annual payment from the Library to the Houston Academy of Medicine for the Library's exclusive use of library space in the Jesse H. Jones Library Building, located at 1133 M.D. Anderson Boulevard, Houston, Texas 77030 will be divided into two amounts as follows:

- 1) An amount equal to the Library's total rentable square feet multiplied by \$7.26 per square foot. The square footage rental rate of \$7.26 shall be adjusted annually (either up or down, according to appropriate audit figures) effective September 1, 1982, by a percentage amount equal to the change in actual operating costs for the Houston Academy of Medicine's preceding two fiscal years. For example, the 1982/83 square footage rate would be set effective September 1, 1982 by the actual percentage change in operating costs for the year ended December 31, 1981 compared with the year ended December 31, 1980.

2) An amount equal to \$1.00 per square foot per year will be placed into a restricted building reserve fund to be set aside in a separate designated account for building additions or replacements of a capital nature. All investment income from the fund shall accrue to the fund. Moneys shall be removed from this account as described in the section "Operation of the Restricted Reserve Fund" in the report "Proposed Rate Structure for the Jesse Jones Library Building" dated August 10, 1981, and revised November 2, 1981.

There will be a ceiling of \$100,000 placed on the restricted building reserve fund. Upon reaching this ceiling, all payments as described in number two (2) above will cease. Such payments shall not be paid in the future until the amount in the fund drops below the ceiling. This ceiling shall increase by \$50,000 each time the consumer price index increases by the equivalent of 50% over the published rate at January 1, 1982. Within 90 days after year end, there will be a complete accounting to the Library of all moneys added to and disbursed from the restricted reserve fund.

EXECUTED in multiple originals this 1 day of March, 1982.

BAYLOR COLLEGE OF MEDICINE

Attest:

[Signature]

William Hunter  
President

HOUSTON ACADEMY OF MEDICINE

Attest:

James R. Hickory

[Signature]  
President, Board of Trustees

TEXAS MEDICAL CENTER, INC.

Attest:

[Signature]

[Signature]  
President

TEXAS WOMAN'S UNIVERSITY

Attest:

[Signature]

Mary Evelyn King  
President

THE UNIVERSITY OF TEXAS

Attest:

[Signature]

[Signature]  
President, University of Texas  
Health Science Center at Houston

Attest:

[Signature]

Charles A. Maistre  
President, University of Texas  
System Cancer Center

UTS: Baptist 3242

400

14. U. T. Health Science Center - Houston: Health Care Educational Experience Program Agreement with Memorial Hospital System, Houston, Texas. --Approval was given to the Health Care Educational Experience Program Agreement set out on Pages 38-48 by and between The University of Texas Health Science Center at Houston and Memorial Hospital System, Houston, Texas. This agreement, executed by the appropriate officials of the institution and facility on March 22, 1982, to be effective July 1, 1982, upon approval by the U. T. Board of Regents, amends the institutional agreement dated January 10, 1975, to conform with the terms of this agreement and provides for use of the Memorial Hospital System as a teaching resource of the Family Practice Residency Program operated by the U. T. Health Science Center - Houston and the Hospital.

HEALTH CARE EDUCATIONAL  
EXPERIENCE PROGRAM AGREEMENT

THIS AGREEMENT made the 22<sup>nd</sup> day of MARCH, 1982, by and between The University of Texas Health Science Center at Houston ("University"), a component institution of The University of Texas System ("System"), and Memorial Hospital System ("Facility"), a non-profit corporation organized and existing under the laws of the State of Texas, having its principal office at 7777 Southwest Freeway, Houston, State of Texas,

W I T N E S S E T H :

WHEREAS, Facility now operates hospital facilities located at 1635 North Loop West, 7655 Bellfort and 7600 Beechnut, in the City of Houston, State of Texas, and therein provides health care services for persons in need of such services; and University provides an academic program with respect to health care;

WHEREAS, University periodically desires to provide health care related educational experiences for its residents and students, which are not otherwise available to them under the existing program of University, by utilization of appropriate facilities and personnel of Facility;

WHEREAS, Facility is committed to a goal of providing the best obtainable supply of personnel educated in the field of health care as being in the best interest of

Facility, and believes that achievement of such goal can best be accomplished by affording health care residents and students the opportunity to participate in meaningful educational experiences as a part of an academic health care program, through utilization of appropriate facilities and personnel of Facility; and

WHEREAS, in order to accomplish such objectives, University and Facility have established a Family Practice Residency Program "Program" which involves the residents, students and personnel of University, and the facilities and personnel of Facility;

NOW, THEREFORE, in consideration of the premises and of the benefits derived and to be derived therefrom and from the Program established and implemented by said parties, University and Facility agree that such Program shall be governed by the following terms and conditions:

1. Facility hereby agrees to furnish the premises necessary to carry out this Agreement, and such personnel, services, and other things mutually agreed to by the parties hereto which are necessary to carry out the provisions of this Agreement. In connection with the Program, Facility further agrees:

a. To comply with all Federal, State and Municipal laws, ordinances, rules and regulations applicable to performance by Facility of its obligations under this Agreement, and to maintain accreditation with the appropriate accrediting bodies and to certify such compliance to University or other entity when requested to do so by University.

b. To permit the authority responsible for accreditation of University's curriculum to inspect such facilities, services and other things provided by Facility pursuant to this Agreement as are necessary for accreditation evaluation.

c. To appoint a person to serve for Facility as Hospital Liaison to the faculty, residents, and students engaged in the Program; provided, however, that no person not having the prior written approval of University shall be appointed Hospital Liaison; and, in such connection, Facility shall furnish in writing to University not later than thirty (30) days prior to the date the Hospital Liaison appointment is to become effective the name and professional and academic credentials of the person proposed by Facility to be Hospital Liaison, and within ten (10) days after receipt of same, University shall notify Facility of University's approval or disapproval of such person. In the event the Hospital Liaison becomes unacceptable to University after appointment, and University so notifies Facility in writing, Facility will appoint another person to serve as Hospital Liaison in accordance with the procedure stated in the first sentence of this Paragraph 1(c).

d. To continue the Family Practice Center which has been established on its premises, and, in its sole discretion, to permit residents and faculty to practice in such other locations, such as ambulatory centers, as it deems appropriate. This Agreement shall apply to the activities and services performed by residents and faculty in any ambulatory center now existing or hereafter established by Facility.

e. To pay to The University of Texas Medical Foundation such sums as are determined by the Policy Review Committee in accordance with and for the purposes set out in a certain Agreement, effective January 10, 1975, between The University of Texas Medical School at Houston and the Memorial Hospital System, and the document attached thereto styled "Memorandum of Agreement Relating to Participation by Memorial Hospital System in The University of Texas at Houston Affiliated Hospitals Residency Training Program," as such Agreement and

Memorandum are amended contemporaneously with the execution of this Agreement.

f. To pay annually to University a sum the "Sum" in consideration for the obligations undertaken by University as set out below. The Sum shall be determined and shall be payable on a fiscal year basis, such fiscal years to commence on September 1 of each calendar year and to terminate on August 31 of each succeeding calendar year. The Sum for the first fiscal year, which for purposes of this Paragraph 1 f) shall be considered to have commenced on September 1, 1980, shall be \$150,000. The Sum for the fiscal year which commences on September 1, 1981, shall be \$150,000. The Sum for each succeeding fiscal year shall be determined by annual negotiation and agreement of the parties, without the necessity of any amendment hereto. The Sum shall be payable in four equal payments, one each <sup>quarter</sup> quarter of the fiscal year.

g. To provide space and associated services for the program.

2. University hereby agrees:

a. To furnish Facility with the names of the students and residents assigned by University to participate in the Program.

b. To assign for participation in the Program only those students (1) who have satisfactorily completed those portions of its curriculum which are prerequisite to such participation, all as determined by University in its sole discretion, and (2) who have entered into a written agreement with University and Facility that they will not publish any material relating to the Program, or their experience in participating therein, without the prior written approval of University and Facility.

c. To designate a member of the University faculty ("University Liaison") to coordinate with Facility

through its Hospital Liaison all matters pertaining to the Program. No person not having the prior written approval of Facility shall be appointed University Liaison; and, in such connection, University shall furnish in writing to Facility (not later than thirty (30) days prior to the date the University Liaison appointment is to become effective) the name and professional and academic credentials of the person proposed by University to be University Liaison, and within ten (10) days after receipt of same, Facility shall notify University of Facility's approval or disapproval of such person. In the event that the person proposed by University is a dean of the Medical School at University, Facility hereby waives the provisions of the previous sentence except for notification of the name and title of such person. In the event the University Liaison becomes unacceptable to Facility after appointment as University Liaison, and Facility so notifies University in writing, University will designate another faculty member, who need not occupy the same position at University, to serve as University Liaison, in accordance with the procedure previously set out in this Paragraph 2(c).

d. To coordinate the activities of all University medical students and residents who are assigned to Facility. The number of medical students to be assigned to Facility and the duration of such assignment shall be agreed upon by University and Facility in advance of such assignment.

e. To provide faculty members to teach and to supervise the medical practice of residents in the discipline of Family Practice.

f. Through its Program in Family Practice, to recruit and select qualified residents for the Program.

g. To maintain offices for clinical work of University faculty separate from the offices in which they supervise residents.

2. To provide continuing medical education activities for Facility, as agreed to by University and Facility's Medical Education and Research Committee.

3. All fees and charges which are generated, billed, or collected by the Family Practice Center, or by virtue of activities conducted within the Family Practice Center or in conjunction with the Program, shall become the property of Facility. Faculty members shall not independently bill or collect for their own account, or for the account of University, any amount from patients or third party payors for the activities of such faculty members which are conducted in conjunction with the Family Practice Program. Fees generated or collected by faculty members for their own services in providing direct patient care, when such services are not performed within the Family Practice Center or in conjunction with the Program, shall become the property of University.

4. Facility shall have the right to request the removal of any resident from the Program when, in Facility's sole discretion, there is good cause for such action, and University shall comply with such request after consultation and after consideration of due process.

5. University shall maintain in effect throughout the term of this Agreement professional liability coverage for its faculty and residents, through a funded self-insurance program or otherwise, the limits of which shall be at minimum those which are provided for residents and faculty of the System. University shall notify Facility of any changes in the limits of the professional liability coverage so provided by it. Facility shall be under no obligation to provide any professional liability insurance or coverage for faculty, residents, or students, provided that Facility shall be required to make such contributions for professional liability coverage for residents as are required by the Policy Review Committee in accordance with Paragraph 1(e) hereof.

6. It is mutually understood and agreed that all faculty, residents, students, and other personnel furnished by University pursuant to this Agreement or otherwise are independent contractors with respect to Facility. All such faculty, residents, students and other personnel shall employ their own means and methods and exercise their own professional judgment in the performance of any services or activities at Facility, and Facility shall have no right of control or direction over such persons with respect to such means, methods, or judgments, or with respect to the details of such services or activities. It is expressly agreed that no faculty member, resident, student, or other person furnished, employed, or selected by University shall for any reason be deemed to be an employee, agent, ostensible or apparent agent, or servant or borrowed servant of Facility, and that faculty members and residents shall instead be considered employees of University.

7. All notices under this Agreement shall be provided to the party to be notified in writing, either by personal delivery or by United States mail. All notices under this Agreement shall be deemed given to a party when received by such party's designated representative.

8. All the agreements between the parties on the subject matter hereof have been reduced to writing herein. No amendments to this Agreement shall be valid unless in writing and signed by the duly authorized representatives of the parties, and approved by the Board of Regents of The University of Texas System and the Board of Trustees of the Memorial Hospital System.

9. No oral representations of any officer, agent, or employee of Facility or The University of Texas System, or any of its component institutions (including, but not limited to University), either before or after the effective date of

this Agreement, shall affect or modify any obligations of either party hereunder.

10. This Agreement shall be binding on and shall inure to the benefit of the parties and their respective successors and assignees; provided, however, that no assignment by either party shall be effective without prior written approval of the other party. A delay in or failure of performance of either party shall not constitute default hereunder, or give rise to any claim for damages, if and to the extent such delay or failure is caused by occurrences beyond the control of either party.

11. This Agreement shall not become effective unless and until approved by the Board of Regents of The University of Texas System and the Board of Trustees of Memorial Hospital System. If so approved, this Agreement shall become effective as of July 1, 1982, and shall continue in effect for an initial period term ending June 30, 1983, and after such initial term, from year to year, unless one party shall have given to the other party, not less than one hundred eighty (180) days prior to the end of such a yearly term, written notice of intention to terminate this Agreement. If such notice is given, this Agreement shall terminate at the end of the yearly term of this Agreement during which the notice was given. In the event that upon such termination date University has been unable to place residents enrolled in the Program into other residency programs, after a good faith effort to do so, Facility agrees to continue to allow the Program to operate for one additional yearly term, or until such earlier time as all such residents have been placed. No notice of termination need be given by Facility during such additional one-year term in order for this Agreement to terminate at the end of such additional term.

12. University agrees to maintain during the term of this Agreement and any extensions or renewals hereof, and for a

period of four (4) years following its termination or expiration, adequate books and records which accurately reflect the services rendered under this Agreement and any other factors affecting the value or cost of the services provided hereunder to Memorial Hospital System. These books and records may be inspected by Memorial Hospital System or its representatives at any reasonable time.

13. Notwithstanding anything to the contrary, University (referred to for purposes of this provision as a "subcontractor") hereby agrees that (i) until the expiration of four (4) years after the furnishing of any service pursuant to this contract, such subcontractor shall make available, upon written request to the Secretary of the Department of Health and Human Services (the "Secretary"), or upon request to the Comptroller General, or any of their duly authorized representatives, this contract, and books, documents and records of such subcontractor that are necessary to certify the nature and extent of the costs incurred by the Memorial Hospital System with respect to this contract and the services provided pursuant hereto, and (ii) if the subcontractor carries out any of the duties of this contract through a subcontract, with a value or cost of \$10,000 or more over a twelve-month period, with a related organization, such subcontract shall contain a clause to the effect that until the expiration of four (4) years after the furnishing of such services pursuant to such subcontract, the related organization shall make available, upon written request to the Secretary, or upon request to the Comptroller General, or any of their duly authorized representatives, the subcontract, and books, documents and records of such organization that are necessary to verify the nature and extent of the costs incurred with respect to such subcontract and the services provided pursuant thereto. As used in this Paragraph, the words "contract" and "this contract" also

include any predecessor contracts between the parties hereto. This contract shall be automatically and retroactively amended, without the necessity of any action by the parties hereto, to include the terms of any rules, regulations, or judicial or administrative interpretations or decisions promulgated or made under Section 1361(v)(1)(I) of the Social Security Act, to the extent that the terms of such rules, regulations, interpretations or decisions differ herefrom. Such automatic and retroactive amendment shall be deemed to have become effective on the effective date of this Paragraph. This Paragraph shall be deemed to have become effective on the first date on or after December 5, 1980, on which this contract is or was entered into, modified, amended, extended, or renewed, unless otherwise provided by rule, regulation, or judicial or administrative interpretation or decision, in which case the effective date shall be the earliest date allowable pursuant to same. This Paragraph shall have no application if and to the extent that a final administrative or judicial determination is made with specific reference to this contract that this contract is not a contract between a provider and a subcontractor within the meaning of Section 1361(v)(1)(I) of the Social Security Act and any rules, regulations, or judicial or administrative interpretations or decisions promulgated or made pursuant thereto.

14. Approval of this Agreement as provided in Paragraph 11 shall also constitute approval and adoption by both parties of a certain "Amendment to the Memorandum of Agreement Relating to Participation by Memorial Hospital System in the University of Texas at Houston Affiliated Hospitals Residency Training Programs," executed simultaneously herewith.



15. U. T. Health Science Center - Houston: Agreement of Affiliation with San Jacinto College District, Pasadena, Texas. -- The agreement of affiliation set out on Pages 49-52 by and between The University of Texas Health Science Center at Houston and San Jacinto College District, Pasadena, Texas, was approved. The agreement, which was jointly prepared by the San Jacinto College District and the U. T. Health Science Center - Houston, has been executed by the appropriate officials of the U. T. System to be effective upon approval by the U. T. Board of Regents and subsequent approval by the San Jacinto College District Board of Regents. It will provide a site for part-time students in the U. T. Nursing School - Houston to receive, by television transmission to San Jacinto College District, instruction in the field of nursing leading to credit in the U. T. Nursing School - Houston.

FILE NO. 400  
DOCUMENT ✓  
REVISED

AGREEMENT OF AFFILIATION BETWEEN  
UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER  
AT HOUSTON  
SCHOOL OF NURSING  
AND  
SAN JACINTO COLLEGE DISTRICT

THIS AGREEMENT made and entered into by and between the UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON, an institution of higher education of the State of Texas, acting for and on behalf of the School of Nursing, (UTHSCH) and SAN JACINTO COLLEGE DISTRICT, a public community college district organized under the laws of the State of Texas (SJCD).

W I T N E S S E T H:

WHEREAS, it is mutually recognized that the SJCD and the UTHSCH have certain Objectives in common, namely (a) providing health care personnel of the highest caliber (b) educating and training of health care personnel, (c) advancing knowledge in the field of health care, and (d) promoting personal and community health and education through the training of highly qualified students of nursing and that each can accomplish these objectives in a larger measure and more effectively through affiliated operations; and

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

NOW, THEREFORE, for and in consideration of the premises and in further consideration of the matters hereinafter set forth, the SJCD and UTHSCH do hereby stipulate and agree as follows:

I.

TEACHING PROGRAMS

UTHSCH will provide, by television transmission to SJCD instruction in the field of nursing leading to credit at UTHSCH's School of Nursing. Such lectures will be provided by faculty members of UTHSCH and will be equivalent to those lectures given at the School of Nursing. The parties agree that only those students duly enrolled at UTHSCH's School of Nursing will receive credit from UTHSCH, and that SJCD will not grant credit of any kind to its students for the lectures provided under this Agreement.

## II.

## FACILITIES

SJCD will provide classroom space equipped with television receivers in amounts sufficient to accommodate those students wishing to participate in such courses. The parties agree that the space provided will be subject to SJCD's policies regarding space allocation and scheduling.

## III.

## FACULTY

The parties agree that the faculty member designated to monitor television lectures, administer and grade examinations, and perform administrative duties in connection with this program, will hold appointments at both SJCD and UTHSCH's School of Nursing, and will be compensated according to a formula mutually agreed to by SJCD and UTHSCH.

## IV.

## CONSULTATION BETWEEN PARTIES

Each party agrees to appoint a designated liaison for purposes of this program. Each party agrees to notify the other of the designated liaison at least thirty (30) days prior to the date the liaison is to be effective. The liaison representatives shall meet as needed for the purpose of:

- (a) the establishing of procedures necessary to implement this Agreement,
- (b) the resolution of any problems which may arise between the SJCD and the UTHSCH,
- (c) educational purposes so that the members of the Committee will be familiar with the joint operations of the SJCD and the programs and with any problems incident to the implementation of this Agreement.

## V.

## GRANTS, RESEARCH OR DEMONSTRATION PROGRAMS

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

## VI.

## TERM

This Agreement shall be effective upon execution by both parties, and shall continue in full force and effect for a period of three

years from the date of execution or unless sooner terminated by mutual consent of the parties, or by either party hereto giving the other party written notice of termination. Any written notice of termination shall specify the date of termination but in no event shall such termination be effective until at least six (6) months after the receipt of such notice by the other party. No termination as provided above, however, shall be effective with regard to students previously enrolled in the Program until such students shall have completed their respective courses. This Agreement shall also be terminated automatically as to an individual program by loss of either or all of that program's Local, State and/or National Accreditation as provided in Part VII of this Agreement, in which case any and all students and/or faculty members participating in the programs shall be immediately removed.

## VII.

## PROVISION FOR OTHER AGREEMENTS

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

## VIII.

## AMENDMENTS

This Agreement may be amended by written instrument duly executed by both parties hereto.

## IX.

## BINDING ON SUCCESSORS

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

## X.

## LEGALITY

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

## XI.

## NOTICE

Unless otherwise provided in this Agreement, any notice, communication, request, reply or advice (herein severally and collectively, for convenience called "Notice") herein provided or permitted to be given, made or accepted by either party to the other must be in writing and shall be given or be served by depositing the same in the United States mail postpaid, registered or certified mail, addressed to the party to be notified, with return receipt requested, or by delivering the same

to any office of such party, or by prepaid telegram, when appropriated, addressed to the party to be notified. For the purposes of notice, the addresses of the parties shall, until changed as hereinafter provide, be as follows:

UTHSCH

UNIVERSITY OF TEXAS HEALTH SCIENCE  
CENTER AT HOUSTON  
1100 Holcombe Blvd.  
Houston, Texas 77030

SJCD

SAN JACINTO COLLEGE DISTRICT  
8060 Spencer Highway  
Pasadena, Texas 77505

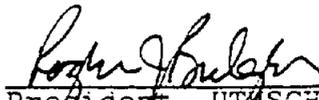
The parties shall have the right to change their respective addresses. In the event that either party changes its address, written notice of such change shall be given to the other party within fifteen (15) days of such change.

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

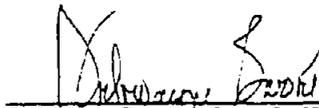
SAN JACINTO COLLEGE DISTRICT

UNIVERSITY OF TEXAS HEALTH  
SCIENCE CENTER AT HOUSTON

\_\_\_\_\_  
President, San Jacinto College,  
Central

  
\_\_\_\_\_  
President, UTHSCH

\_\_\_\_\_  
Director, Department of Nursing  
Education

  
\_\_\_\_\_  
Dean, School of Nursing

CONTENT APPROVED:

CONTENT APPROVED:

\_\_\_\_\_  
Vice Chancellor

  
\_\_\_\_\_  
Executive Vice Chancellor for  
Health Affairs

\_\_\_\_\_  
Chancellor

  
\_\_\_\_\_  
Chancellor

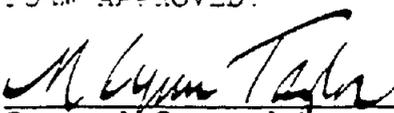
\_\_\_\_\_  
Chairman, Board of Regents

\_\_\_\_\_  
Chairman, Board of Regents  
University of Texas System

FORM APPROVED:

FORM APPROVED:

\_\_\_\_\_  
Stanley Baskire, Attorney for  
San Jacinto College District

  
\_\_\_\_\_  
General Counsel  
University of Texas System

16. U. T. Health Science Center - San Antonio (U. T. Medical School - San Antonio, U. T. Dental School - San Antonio, U. T. G. S. B. S. - San Antonio, U. T. Allied Health Sciences School - San Antonio, and U. T. Nursing School - San Antonio): Increase in Student Services Fee Required Effective Fall Semester 1982 (Catalog Change). --In order to provide funds to support certain student government activities and services at The University of Texas Health Science Center at San Antonio, the Student Services Fee (Required) was approved as set out below to be effective with the Fall Semester 1982:

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<u>School</u>	<u>Fee</u>
U. T. Allied Health Sciences School - San Antonio, U. T. G. S. B. S. - San Antonio, U. T. Nursing School - San Antonio	\$3.00 per semester credit hour not to exceed \$35 fall and spring not to exceed \$30 summer.
U. T. Medical School - San Antonio and U. T. Dental School - San Antonio	
a. Students enrolled for a curriculum year of 41 weeks or less	\$ 70.00
b. Students enrolled for a curriculum year of 42 weeks or more	\$100.00

The next appropriate catalog published at the U. T. Health Science Center - San Antonio will be amended to reflect this action.

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17. U. T. Health Center - Tyler: Affiliation Agreement with Tyler Junior College, Tyler, Texas. --The affiliation agreement set out on Pages 53 - 55 by and between The University of Texas Health Center at Tyler and the Tyler Junior College, Tyler, Texas, was approved. The agreement, executed by the appropriate officials of the institution and facility on January 18, 1982, to be effective upon approval by the U. T. Board of Regents, will provide students from Tyler Junior College educational experience at the U. T. Health Center - Tyler through the Tyler Junior College Satellite Respiratory Therapy Technician Program and will assure the availability of well trained Respiratory Therapy Technicians for employment by the U. T. Health Center - Tyler.

THE STATE OF TEXAS

COUNTY OF SMITH

This AGREEMENT, executed on January 18, 1982, between Tyler Junior College sometimes referred to as "TJC" in this Agreement, and the University of Texas Health Center at Tyler sometimes referred to as "UTHC" in this Agreement, is to stipulate and establish the terms and conditions whereby The University of Texas Health Center at Tyler will serve as an Affiliating Agency to provide lecture, laboratory and clinical training facilities and related support for the Tyler Junior College Satellite Respiratory Therapy Technician (one year certificate) Program.

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

(1) UTHC will permit two classes with a minimum of fifteen students each from the TJC satellite program to practice Respiratory Therapy activities under the direct supervision and responsibility of the faculty of TJC each year. One class will begin in January and the other class will begin in July. Each class will be nine months in length and the students will normally be employees of UTHC. To accommodate two classes per year, it will be necessary for the teaching schedule to deviate from the published college calendar for both teachers and students.

(2) Students for this satellite program will be required to meet the same admission policies as those students in the TJC campus-based Respiratory Therapy program. The program admissions committee will consist of: TJC Dean of Admissions, TJC Respiratory Therapy program director, TJC Assistant Dean of Technology and two representatives from UTHC, designated by UTHC's Director of Respiratory Therapy.

(3) Instructors for this program will be mutually agreed upon by TJC's Dean of Technology and UTHC's Director of the Respiratory Therapy Department. They may be full or part-time employees of TJC or full-time employees of UTHC who are given a temporary part-time faculty appointment by TJC. If the instructors are full-time UTHC employees, then compensation will be in accordance with the current TJC part-time instructor salary schedule. Payment will be made to UTHC quarterly.

(4) Instructors for this program will be responsible to TJC for all instructional activities to include curriculum standards, attendance records, grades, grade books and course schedules. Syllabi for this program will be the same as those used in the TJC campus-based Respiratory Therapy program.

(5) The tuition charges for this program will follow the published TJC tuition schedule and will be paid by UTHC.

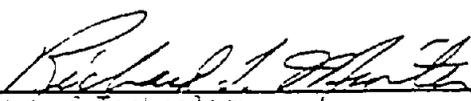
(6) All books, materials, uniforms, transportation and other individual expenses will be the responsibility of each student.

(7) Employees of other hospitals will be allowed to enroll in this program on a space available basis. Tuition and other student costs will be the responsibility of the sponsoring hospital.

(8) Notice of at least six months shall be given if either party to this Agreement wishes to withdraw. Students enrolled in the program at the time of notice will be given an opportunity to complete the full program prior to termination of this Agreement.

Executed by TJC and UTHC on the day and year first written, in duplicate copies, each of which shall be deemed an original.

FACILITY

  
\_\_\_\_\_  
Dean of Technology  
Tyler Junior College

  
\_\_\_\_\_  
President, Tyler Junior College

THE UNIVERSITY OF TEXAS

by   
\_\_\_\_\_  
Director, The University of Texas  
Health Center at Tyler

FORM APPROVED:

CONTENT APPROVED:

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[Signature]  
General Counsel  
The University of Texas System

[Signature]  
Executive Vice Chancellor for Health  
Affairs, The University of Texas  
System

[Signature]  
Chancellor  
The University of Texas System

BOARD OF REGENTS  
THE UNIVERSITY OF TEXAS SYSTEM

Attest  
Executive Secretary of the Board of  
Regents of The University of Texas  
System

Chairman of the Board of Regents of  
The University of Texas System

18. U.T. Health Science Center - Dallas, U.T. Galveston Medical  
Branch, U.T. Health Science Center - Houston, U.T. Health  
Science Center - San Antonio, U.T. Cancer Center and U.T.  
Health Center - Tyler: Nominees to Development Boards and  
Advisory Council. --Approval was given to nominees for member-  
ship on the development boards and advisory councils of the health-  
related components of The University of Texas System to be effective  
September 1, 1982, as set forth below. The names of those accepting  
membership will be reported to the U.T. Board of Regents at a sub-  
sequent meeting:

a. The University of Texas Health Science Center at Dallas  
Development Board

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b. The University of Texas Medical Branch at Galveston  
Development Board  
Allied Health Sciences School Advisory Council

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- c. The University of Texas Health Science Center at Houston  
Development Board FILE NO. 18  
DOCUMENT  
REMARKS
- d. The University of Texas Health Science Center at San Antonio  
Development Board FILE NO. 19  
DOCUMENT  
REMARKS
- e. The University of Texas System Cancer Center  
University Cancer Foundation Board of Visitors FILE NO. 20  
DOCUMENT  
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- f. The University of Texas Health Center at Tyler  
Development Board FILE NO. 22  
DOCUMENT  
REMARKS

Personnel

PLANNING Goals + Principles

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STATEMENT BY CHAIRMAN POWELL REGARDING STRATEGIC PLANNING AND PERSONNEL EVALUATION PROGRAMS. --At the conclusion of the report of the Health Affairs Committee, Chairman Powell commented briefly on the strategic planning programs currently underway in the components of The University of Texas System. He emphasized that the Board was most anxious to see the program not only keep its present momentum but accelerate in pace. He asked the Executive Vice Chancellors to schedule progress reports for the August 12-13 Board meeting to demonstrate ways in which the components are progressing with their planning.

In addition, Chairman Powell emphasized the continuing interest of the Board in the overall personnel evaluation programs in progress within the U. T. System. He noted that these would include classified and administrative/professional staff as well as faculty and stressed to the System Administration and to the component chief administrative officers that these personnel evaluations would be a primary factor for merit increases for the 1983-84 operating budgets.

REPORT AND RECOMMENDATIONS OF THE BUILDINGS AND GROUNDS COMMITTEE - Pages 57 - 67 A. -- Committee Chairman Richards reported that the Buildings and Grounds Committee had met in open session on Thursday, June 10, 1982, to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, all actions set forth in the Minute Orders which follow were recommended by the Buildings and Grounds Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. Board of Regents: Amendments to Chapter VIII of Part Two of the Regents' Rules and Regulations. -- Upon recommendation of the Academic Affairs, Health Affairs, Finance and Audit and Buildings and Grounds Committees, Chapter VIII of Part Two of the Regents' Rules and Regulations was amended as set forth below:
- a. Amended the title of Section 1 to read as follows:
- Sec. 1. Major New Building Construction Exceeding the Amount of \$100,000 per Project. --
- b. Amended the lead-in paragraph of Subdivision 1.33 of Subsection 1.3 of Section 1 to read as follows:
- 1.33 The Board will award the contracts for all work in excess of the amount of \$100,000. The contract will be signed by the contractor(s) involved and the Chairman of the Board and approved by the Board in accordance with law.
- c. Amended Section 2 to read as follows:
- Sec. 2. Minor New Building Construction: Minor Repairs and Remodeling; and Construction of Improvements Other Than Buildings Involving Less than \$100,000 per Project. -- Minor new building construction, minor repairs and remodeling of the physical plant, and construction of improvements other than buildings that involve a total expenditure of \$100,000 or less per project may be handled at the component institution. Necessary funds must have been approved through the proper procedure. In each case, the project must have been approved by the director of physical plant, the chief business officer, and the chief administrative officer of the institution involved, and must have the prior approval of the Vice Chancellor for Business Affairs and the Office of the Chancellor.
- d. Deleted Section 3 and renumbered the succeeding Sections appropriately.
- e. Amended Subsection 3.1 of Section 3 (previously Subsection 4.1 of Section 4) to read as follows:
- 3.1 Any repair or remodeling project of the Physical Plant or construction of improvements other than buildings involving an estimated expenditure that exceeds \$100,000 shall be deemed a construction project and shall be handled under the procedures set out in Section 1. A repair or remodeling project or a project that involves the construction of improvements other than buildings that does not exceed \$100,000 may

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be handled at the component institution in accordance with the procedures set out in Section 2 of this Chapter.

f. Amended Section 4 (previously Section 5) to read as follows:

Sec. 4. Professional Services. --Each component institution is authorized to make use of architects, engineers, and other professional services up to a maximum cost of \$10,000 with the approval of the Vice Chancellor for Business Affairs and the Office of the Chancellor on recommendation of the chief administrative officer and the chief business officer.

g. Amended Section 5 (previously Section 6) by deleting Subsection 5.2 (previously Subsection 6.2) and renumbering Subsection 5.3 (previously Subsection 6.3) as Subsection 5.2.

2. U. T. Austin - Balcones Research Center - Site Development and Utility Distribution (Project No. 102-523): Approval of Final Plans and Authorization to Advertise for Bids; Authorization for Executive Committee to Award Contracts Within Total Project Cost; and Additional Appropriation Therefor. --The Finance and Audit and Buildings and Grounds Committees recommended and the Board:

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- a. Approved the final plans for that portion of the Site Development involving roads, drainage and utilities distribution at The University of Texas at Austin Balcones Research Center at an estimated total project cost of \$6,287,137
- b. Authorized the Office of Facilities Planning and Construction to advertise for bids
- c. Authorized the Executive Committee to award all contracts associated with this portion of the project within authorized total project cost
- d. Appropriated \$5,928,137 from the Available University Fund for total project funding (Previous appropriations had been \$359,000 from the same source.)

This work will be contracted and completed sequentially to interface with the building projects at the Balcones Research Center.

3. U. T. Austin - Balcones Research Center - Central Chilling Station (Project No. 102-523A): Approval of Preliminary Plans, Authorization to Prepare Final Plans and Additional Appropriation Therefor. --Mr. George Page and Mr. Ralph Linares, representing the Project Architect, Page Southerland Page, Austin, Texas, presented the preliminary plans for the Central Chilling Station at the Balcones Research Center of The University of Texas at Austin to the Buildings and Grounds Committee on Thursday, June 10.

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Based on this presentation, the Buildings and Grounds Committee with the concurrence of the Finance and Audit Committee recommended, and the Board:

- a. Approved the preliminary plans and specifications for the Central Chilling Station at an estimated total project cost of \$3,821,163

- b. Authorized the Project Architect to prepare final plans and specifications for consideration at a future meeting of the U. T. Board of Regents
- c. Appropriated \$175,000 from the Available University Fund for fees and related project expenses through completion of final plans

This portion of the work will be completed concurrently with the first building project it is to serve.

4. U. T. Austin - Balcones Research Center - Bureau of Economic Geology (Project No. 102-525) - Research Administration Building: Approval of Preliminary Plans, Authorization to Prepare Final Plans and Additional Appropriation Therefor. --Mr. Jack Goodman and Mr. Jan Cartwright, representing the Project Architect, Barnes Landes Goodman Youngblood, Austin, Texas, presented the preliminary plans for the Research/Administration Building for the Bureau of Economic Geology at The University of Texas at Austin Balcones Research Center to the Buildings and Grounds Committee on Thursday, June 10.
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On the basis of this presentation, the Board upon recommendation of the Buildings and Grounds Committee:

- a. Approved the preliminary plans and specifications for the Research/Administration Building for the Bureau of Economic Geology at an estimated total project cost of \$14,026,105 exclusive of departmental equipment
- b. Authorized the Project Architect to prepare final plans and specifications for consideration of the U. T. Board of Regents at a future meeting
- c. Appropriated \$400,000 from the Available University Fund for fees and related project expenses through completion of final plans (Previous appropriations for the Bureau of Economic Geology projects had been \$499,000 from the same source.)

The Research/Administration Building will be a three-level structure of 151,216 gross square feet and will be a companion building to the Repository and Minerals Studies Laboratory Building.

5. U. T. Austin - Balcones Research Center - Center for Electromechanics/Center for Energy Studies (Project No. 102-524): Approval of Preliminary Plans, Authorization to Prepare Final Plans and Additional Appropriation Therefor. --On Thursday, June 10, Mr. George Page and Mr. Ralph Linares, representing the Project Architect, Page Southerland Page, Austin, Texas, presented the preliminary plans for the Center for Electromechanics/Center for Energy Studies at the Balcones Research Center of The University of Texas at Austin to the Buildings and Grounds Committee.
- FILE NO. 200  
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The Buildings and Grounds Committee recommended, based on this presentation, and the Board:

- a. Approved the preliminary plans and specifications for the Center for Electromechanics Center for Energy Studies at an estimated total project cost of \$13,336,959, exclusive of departmental equipment
- b. Authorized the Project Architect to prepare final plans and specifications for consideration of the U. T. Board of Regents at a future meeting
- c. Appropriated \$430,000 from the Available University Fund for fees and related project expenses through completion of final plans (From the previous appropriations for projects at Balcones Research Center, \$182,500 had been allotted to the Center for Electromechanics, Center for Energy Studies from the Available University Fund.)

This building will house offices, classrooms, research and teaching laboratories for both Centers including provisions for energy related studies and fusion research. Approximately 136,500 gross square feet of space including 21,600 square feet of high-bay research area approximately 75 feet in height will be included in this building.

6. U. T. Austin - Balcones Research Center - Services Center (Project No. 102-527): Approval of Final Plans, Authorization to Advertise for Bids and for Executive Committee to Award Construction Contract Within Authorized Total Project Cost; and Additional Appropriation Therefor. -- Upon recommendation of the Finance and Audit and Buildings and Grounds Committees, the Board:

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- a. Approved the final plans and specifications for the Services Center at The University of Texas at Austin Balcones Research Center at an estimated total project cost of \$2,167,948, exclusive of equipment
- b. Authorized the Office of Facilities Planning and Construction to advertise for bids
- c. Authorized the Executive Committee to award all contracts associated with this project within the authorized total project cost
- d. Appropriated \$2,042,448 from the Available University Fund for total project funding (Previous appropriations had been \$125,500 from the same source.)

7. U. T. Austin - Balcones Research Center: Authorization to Donate Approximately 15.912 Acres of Land for a Street Right-of-Way Easement to City of Austin, Austin, Texas. -- The Board approved the donation of approximately 15.912 acres of land to the City of Austin, Austin, Texas, for a right-of-way easement along Braker Lane from U. S. Highway 183 to Burnet Road (FM 1325). This right-of-way involves approximately 12.063 acres west of the Missouri Pacific Railroad and approximately 3.849 acres east of the railroad at the Balcones Research Center of The University of Texas at Austin.

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8. U. T. Austin - Facilities Improvements for School of Architecture (Project No. 102-536) - Modification of Music Recital Hall West: Approval of Final Plans, Authorization to Advertise for Bids and for Executive Committee to Award Contract Within Authorized Total Project Cost and Additional Appropriation Therefor. --With regard to the Modification of the Music Recital Hall West located in the 1941 Music Building at The University of Texas at Austin for the shared use by the School of Architecture and the College of Fine Arts, the Board upon recommendation of the Finance and Audit and Buildings and Grounds Committees:
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- Approved the final plans and specifications for Modification of Music Recital Hall West at an estimated total project cost of \$340,000
  - Authorized the Office of Facilities Planning and Construction to advertise for bids
  - Authorized the Executive Committee to award all contracts associated with this project within previously authorized total project cost
  - Appropriated \$315,000 from the Available University Fund for total project funding (Previous appropriations had been \$25,000 from the same source.)
9. U. T. Dallas - Extension of Floyd Road; Authorization for Project; Appointment of Raymond L. Goodson, Jr., Inc., Dallas, Texas, Project Engineer to Complete Final Plans; Submission to Coordinating Board; Advertisement for Bids and Award of Contract by U. T. Dallas Administration, Subject to Coordinating Board Approval; and Appropriation Therefor. --In order to open new access routes to The University of Texas at Dallas campus and to help alleviate traffic congestion at the intersection of Floyd and Campbell Roads, the Finance and Audit and Buildings and Grounds Committees recommended and the Board:
- Extension
- FILE NO. 200  
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- Authorized extension of Floyd Road from Lookout Drive to Renner Road at an estimated total project cost of \$420,000
  - Appointed the firm of Raymond L. Goodson, Jr., Inc., Dallas, Texas, Project Engineer and authorized U. T. Dallas Administration to enter into a contract for services to prepare final plans and specifications
  - Authorized submission of the project to the Coordinating Board, Texas College and University System
  - Subject to Coordinating Board approval, authorized advertisement for bids and contract award within authorized funds by U. T. Dallas Administration, in consultation with the Office of Facilities Planning and Construction
  - Appropriated \$420,000 from U. T. Dallas Account No. H9360-00-1000, Unappropriated Balances, Combined Fee Revenue Bonds - Series 1978

It was noted that the City of Richardson will reimburse U. T. Dallas approximately \$150,000 after completion of the construction and dedication of the road to the City of Richardson.

- 10. U. T. Health Science Center - Dallas - Second Level Parking Structure on Parking Lot No. 4. Authorization for Project, Appointment of Kirk, Voich and Gist Architects - Engineers, Fort Worth, Texas, Project Architect to Prepare Final Plans, Submission to Coordinating Board, and Appropriation Therefor. -- Upon recommendation of the Health Affairs, Finance and Audit and Buildings and Grounds Committees, the Board:

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- a. Authorized a Second Level Parking Structure on Parking Lot No. 4 at The University of Texas Health Science Center at Dallas at an estimated total project cost of \$1,500,000
- b. Appointed the firm of Kirk, Voich and Gist Architects - Engineers, Fort Worth, Texas, Project Architect with authorization to prepare final plans, specifications and cost estimates for consideration at a future meeting of the U. T. Board of Regents
- c. Authorized submission of the project to the Coordinating Board, Texas College and University System
- d. Appropriated \$1,500,000 from Unexpended Plant Fund Balances for total project funding

The Second Level Parking Structure will accommodate 400 cars and will help to alleviate parking problems which will result from other construction projects on this campus.

Remodeling Third Floor

- 11. U. T. Galveston Medical Branch - Remodeling Third Floor of the Gail Borden Building for Radiation Therapy: Authorization for Project, Appointment of Jason Frye and Associates, Inc., Houston, Texas, Project Architect to Prepare Final Plans, Submission to Coordinating Board and Appropriation Therefor. --

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In order to provide the necessary research laboratories for Radiation Therapy and allow the Division of Research to locate near the clinical facilities so that ongoing externally funded research programs may be continued, the Health Affairs, Finance and Audit and Buildings and Grounds Committees recommended and the Board:

- a. Authorized the Remodeling of the Third Floor of the Gail Borden Building at The University of Texas Medical Branch at Galveston for Radiation Therapy at an estimated total project cost of \$350,000
- b. Appointed the firm of Jason Frye and Associates, Inc., Houston, Texas, Project Architect with authorization for preparation of final plans and specifications to be presented at a future meeting for consideration by the U. T. Board of Regents
- c. Authorized submission of the project to the Coordinating Board, Texas College and University System

3. Appropriated \$350,000 from Medical Branch Unexpended Plant Funds - project allocation for total project funding

This remodeling will involve approximately 12,700 square feet of space.

12. Renovation  
 U. T. Galveston Medical Branch - Renovation of Microbiology Building: Authorization for Project, Appointment of Louis Lloyd Oliver and Tibor Beerman, Galveston, Texas, Project Architect to Prepare Final Plans, Submission to Coordinating Board and Appropriation Therefor. -- Upon recommendation of the Health Affairs, Finance and Audit and Buildings and Grounds Committees, the Board:

- a. Authorized renovation of the Microbiology Building at The University of Texas Medical Branch at Galveston at an estimated total project cost of \$750,000
- b. Appointed the firm of Louis Lloyd Oliver and Tibor Beerman, Galveston, Texas, Project Architect with authorization for preparation of final plans and specifications to be presented at a future meeting of the U. T. Board of Regents for consideration
- c. Authorized submission of the project to the Coordinating Board, Texas College and University System
- d. Appropriated \$750,000 from Medical Branch Unexpended Plant Funds - project allocation for total project funding

The Microbiology Building is a two-level facility with an open ground level floor. This renovation will complete the ground floor for the expansion of the Department of Microbiology and will consolidate the administrative offices of the Medical Branch Cancer Center.

13. U. T. Galveston Medical Branch - Pharmacology Building - Completion of Departmental Space: Authorization for Project, Appointment of Louis Lloyd Oliver and Tibor Beerman, Galveston, Texas, Project Architect to Prepare Preliminary Plans, Submission to Coordinating Board and Appropriation Therefor. --

With regard to the Pharmacology Building at The University of Texas Medical Branch at Galveston, the Health Affairs, Finance and Audit and Buildings and Grounds Committees recommended the remodeling of this facility for faculty offices, administrative support space, laboratories and animal facilities that will meet safety and animal welfare standards. Whereupon, the Board:

- a. Authorized the completion of departmental space within the Pharmacology Building at an estimated total project cost of \$2,500,000
- b. Appointed the firm of Louis Lloyd Oliver and Tibor Beerman, Galveston, Texas, Project Architect with authorization to prepare preliminary plans, specifications and cost estimates to be presented at a future meeting for consideration by the U. T. Board of Regents

- c. Authorized submission of the project to the Coordinating Board, Texas College and University System
- d. Appropriated \$2,500,000 from Medical Branch Unexpended Plant Funds - project allocation for total project funding

It was noted that this project will involve approximately 25,000 square feet of space.

14. U. T. Galveston Medical Branch - Building for School of Allied Health Sciences and School of Nursing (Project No. 601-479): FILE NO. 200  
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Approval of Final Plans, Authorization to Advertise for Bids and for Executive Committee to Award Contract Within Authorized Total Project Cost and Additional Appropriation Therefor. --  
 Upon recommendation of the Finance and Audit and Buildings and Grounds Committees, the Board:

- a. Approved the final plans and specifications for the School of Allied Health Sciences and School of Nursing Building at The University of Texas Medical Branch at Galveston at an estimated total project cost of \$16,350,000
- b. Authorized the Office of Facilities Planning and Construction to advertise for bids
- c. Authorized the Executive Committee to award all contracts associated with this project within the previously authorized total project cost
- d. Appropriated \$16,175,000 from proceeds of Permanent University Fund Bonds for total project funding (Previous appropriations had been \$675,000 from the same source.)

15. U. T. Galveston Medical Branch - Ashbel Smith Building (Old Red) Restoration (Project No. 601-284): Approval of Final Plans, Authorization to Advertise for Bids and for Executive Committee to Award Contract Within Available Funds. --Mr. Ralph Anderson and Mr. Jerry Barner, representing the Project Architect, Crain/Anderson, Inc., Houston, Texas, presented the final plans for the Restoration of the Ashbel Smith Building (Old Red) at The University of Texas Medical Branch at Galveston to the Buildings and Grounds Committee on Thursday, June 10. FILE NO. 200  
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Based on this presentation and the recommendation of the Finance and Audit and Buildings and Grounds Committees, the Board:

- a. Approved the final plans and specifications for the Ashbel Smith Building Restoration
- b. Authorized the Office of Facilities Planning and Construction to advertise for bids
- c. Authorized the Executive Committee to award construction contracts associated with this project within funds available at the time of the award

The total estimated project cost is \$8,600,000. Funds available for this project are set forth on Page 65.

Source of Funds:

Permanent University Fund Bond Proceeds	\$4,125,000
Medical Branch Unexpended Plant Funds	375,000
Moody Foundation Grant	500,000
Houston Endowment Grant	500,000
Southwestern Medical Foundation Grant	100,000
Private Gifts (plus interest)	249,029
Alumni Contributions (plus interest)	<u>272,212</u>
 Total Funds Available	 \$6,621,241

In order for the maximum amount of work to be accomplished within the available funds, the contract documents will be structured so that contractors will submit proposals for the work in the following three parts:

- Part I     Stabilization of the structure and restoration of exterior
- Part II    The core work in the building including elevators, firestairs, mechanical, electrical and plumbing
- Part III   The interior finishing of the building

It is anticipated that Parts I and II can be accomplished within the total funds available at this time and Part III may be completed as funds become available.

Remodeling

16. U. T. Galveston Medical Branch (U. T. Galveston Hospitals) - Remodeling of John Sealy Hospital (Old Building) - Renovation of Old Children's Hospital (Project No. 601-485): Approval of Final Plans and Authorization to Advertise for Bids and for Contract Award by Executive Committee Within Authorized Total Project Cost and Appropriation Therefor. --As a part of the phased remodeling of the old John Sealy Hospital at The University of Texas Medical Branch at Galveston, the Finance and Audit and Buildings and Grounds Committees recommended and the Board:

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- a. Approved the final plans and specifications for Renovation of the Old Children's Hospital at an estimated total project cost of \$2,295,200
- b. Authorized the Office of Facilities Planning and Construction to advertise for bids
- c. Authorized the Executive Committee to award all contracts associated with this project within the authorized total project cost
- d. Appropriated \$2,295,200 from a grant from The Sealy & Smith Foundation for total project funding

This project will renovate floors two, three and four of the Old Children's Hospital to provide efficient faculty offices and laboratory space for the Departments of Radiology, Obstetrics and Gynecology, and Internal Medicine.

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17. U. T. Galveston Medical Branch (U. T. Galveston Hospitals) - Remodeling of John Sealy Hospital (Old Building) - Remodeling for Internal Medicine, Pathology and Surgery (Project No. 601-538): Approval of Final Plans; Authorization to Advertise for Bids and for Contract Award by the Executive Committee Within Authorized Total Project Cost and Appropriation Therefor. -- The Finance and Audit and Buildings and Grounds Committees recommended as a part of the phased remodeling of the old John Sealy Hospital at The University of Texas Medical Branch at Galveston, and the Board:
- Approved the final plans and specifications for Remodeling for Internal Medicine, Pathology and Surgery in John Sealy Hospital at an estimated total project cost of \$5,650,836
  - Authorized the Office of Facilities Planning and Construction to advertise for bids
  - Authorized the Executive Committee to award all contracts associated with this project within the authorized total project cost
  - Appropriated \$5,650,836 from a grant from The Sealy & Smith Foundation for total project funding

This project will renovate approximately 40,000 gross square feet of space on the 4th, 5th and 6th floors for necessary offices, laboratories and patient treatment areas.

18. U. T. Cancer Center (U. T. Science Park) - Research Division at Smithville - Laboratory Support Facility (Project No. 703-509): Approval of Final Plans and Authorization to Advertise for Bids and for Contract Award by Executive Committee Within Previously Authorized Total Project Cost. -- Upon recommendation of the Finance and Audit and Buildings and Grounds Committees, the Board:
- Approved the final plans and specifications for the Laboratory Support Facility for The University of Texas System Cancer Center (U. T. Science Park) - Research Division at Smithville at an estimated total project cost of \$750,000
  - Authorized the Office of Facilities Planning and Construction to advertise for bids
  - Authorized the Executive Committee to award the construction contract within the previously authorized total project cost of \$750,000
19. U. T. Health Center - Tyler - Remodeling of Upper Floors of Old Hospital Tower (Unit B): Authorization for Project. Appointment of Simons-Clark Associates, Tyler, Texas, Project Architect to Prepare Preliminary Plans, Specifications and Cost Estimate and Appropriation Therefor. -- The Board upon recommendation of the Health Affairs, Finance and Audit and Buildings and Grounds Committees:
- Authorized the remodeling of the upper floors of the old hospital tower known as Unit B at The University of Texas Health Center at Tyler at an estimated total project cost of \$2,872,182

FILE NO. 200  
DOCUMENT \_\_\_\_\_  
REMARKS \_\_\_\_\_FILE NO. 200  
DOCUMENT ✓  
REMARKS \_\_\_\_\_

- b. Appointed the firm of Simons-Clark Associates, Tyler, Texas, Project Architect with authorization to prepare preliminary plans, specifications and cost estimate for consideration at a future meeting of the U. T. Board of Regents
- c. Appropriated \$2,872,182 from Unexpended Plant Funds for total project funding

It was noted that 42,000 gross square feet on Levels 4, 5 and 6 are included in this remodeling to help relieve overcrowded patient support and administrative departments.

Land Acquisition

A-4  
 FILE NO. 400  
 DOCUMENT —  
 REMARKS —

STATEMENT BY COMMITTEE CHAIRMAN RICHARDS REGARDING LAND ACQUISITION ACROSS I. H. 35 FOR U. T. AUSTIN. --Committee Chairman Richards announced that he had made the following statement at the conclusion of the meeting of the Buildings and Grounds Committee on Thursday, June 10, 1982, and it is set forth for the record:

There has been a great deal of speculation concerning the acquisition of land in the vicinity of Mount Calvary Cemetery across I.H. 35 from the U. T. Austin campus. This speculation should be laid to rest.

At its meeting in Odessa on December 11, 1981, the Board of Regents of The University of Texas System authorized the acquisition of approximately 10 acres of land across I.H. 35 in the vicinity of Manor Road for the purpose of the future construction of a physical plant services building for U. T. Austin.

Pursuant to this authorization, the Administration of The University of Texas at Austin and System Administration have taken proper steps to acquire through voluntary sales approximately 4½ acres of the needed 10 acres of land. It now appears that it may be necessary under the December 11 authorization to initiate proceedings to acquire the remainder of the land under the authority of Section 65.33, Texas Education Code, wherein the Board of Regents of The University of Texas System is granted the power of eminent domain to acquire for the use of the University System any land that may be necessary and proper for carrying out its purposes.

REPORT AND RECOMMENDATIONS OF THE LAND AND INVESTMENT COMMITTEE (Pages 68 - 91 ). --Committee Chairman Hay reported that the Land and Investment Committee had met in open session on Thursday, June 10, 1982, to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, all actions set forth in the Minute Orders which follow were recommended by the Land and Investment Committee and approved in open session and without objection by the U. T. Board of Regents:

The execution of documents authorized in this report will be in accordance with the Regents' Rules and Regulations, Part Two, Chapter IX, Section 1.3 as set forth below:

- 1.3 Authority to Execute Instruments Relating to Land and Mineral Interests. --The Chairman of the Board, the Vice-Chairmen, the Chancellor, the Vice Chancellor for Business Affairs, and the Vice Chancellor for Lands Management are each authorized to execute conveyances, deeds, surface and/or mineral leases, easements, rights-of-way, oil and gas division orders, and transfer orders, geophysical and material source permits, water contracts, pooling and unitization agreements, and any other instruments as may be necessary or appropriate from time to time, relating to the handling, management, control, and disposition of any real estate or mineral interest held or controlled by the Board as a part of the PUF or as a part of any trust or special fund.

I. PERMANENT UNIVERSITY FUND

A. INVESTMENT MATTERS

Report on Clearance of Monies to Permanent University Fund for March and April 1982 and Report on Oil and Gas Development as of April 30, 1982. -- The following reports with respect to (a) certain monies cleared to the Permanent University Fund for March and April 1982 and (b) Oil and Gas Development as of April 30, 1982, were submitted by the Executive Director for Investments and Trusts:

FILE NO. 1000  
INVESTMENT  
MARKS

Permanent University Fund	March, 1982	April, 1982	Cumulative Through April of This Fiscal Year (1981-1982)	Cumulative Through April of Preceding Fiscal Year (1980-1981)	Per Cent Change
<u>Royalty</u>					
Oil	\$11,021,218.08	\$10,520,740.36	\$ 86,113,761.19	\$ 70,339,403.13	22.43
Gas	4,136,381.99	3,308,878.48	32,857,632.84	25,473,166.27	28.99
Sulphur	368,176.92	385,610.74	4,476,458.08	3,226,939.42	38.72
Water	13,121.47	49,239.02	165,441.38	139,141.51	18.90
Brine	9,252.42	7,182.42	56,405.27	40,527.59	39.18
<u>Rental</u>					
Oil and Gas Leases	101,569.49	82,836.15	1,492,654.95	1,696,947.71	(12.04 )
Other	2,385.66	986.00	5,624.77	4,914.35	14.46
Sale of Sand, Gravel, Etc.	648.00	3,318.78	22,668.87	37,758.19	(39.96 )
Gain or (Loss) on Sale of Securities	(238,988.11)	(55,578.43)	5,058,019.32	472,854.47	
Transfer from Special 1% Fee Fund	150,000.00		850,000.00	150,000.00	466.67
Sub-Total	<u>15,563,765.92</u>	<u>14,303,213.52</u>	<u>132,098,666.67</u>	<u>101,581,652.64</u>	30.04
<u>Bonuses</u>					
Oil and Gas Lease Sales	-0-	-0-	17,842,000.00	97,073,500.00	(81.62 )
Amendments and Extensions to Mineral Leases	50,917.22	101,524.25	1,206,654.47	538,375.29	124.13
Total Bonuses	<u>50,917.22</u>	<u>101,524.25</u>	<u>19,048,654.47</u>	<u>97,611,875.29</u>	(80.49 )
<u>TOTAL CLEARANCES</u>	<u>\$15,614,683.14</u>	<u>\$14,404,737.77</u>	<u>\$151,147,321.14</u>	<u>\$199,193,527.93</u>	(24.12 )

Oil and Gas Development - April 30, 1982  
Acreage Under Lease - 1,003,285

Number of Producing Acres - 506,731

Number of Producing Leases - 2,084

3173

B. LAND MATTERS

Sealed Bid for

1. Permanent University Fund: Authorization to Advertise for Sealed Bids for Sulphur Leases in Pecos County, Texas, on Permanent University Fund Lands and Approval of Amended Sulphur Mining Lease. -- The Board authorized the Office of the Vice Chancellor for Business Affairs to advertise for sealed bids for sulphur leases on approximately 6,400 acres of Permanent University Fund Lands in Pecos County, Texas, to be presented for consideration at a future Board meeting.

(2)  
 FILE NO. 1000  
 INSTRUMENT  
 MARKS

Leases will be offered on section sized tracts with the minimum bid of \$35 per acre for a 5 year term and will provide a 1.6 royalty, \$5 per acre annual delay rentals and \$25 per acre per year minimum royalty where stockpiling of sulphur occurs prior to its sale.

Further, the Board approved the amended sulphur mining lease set forth on Pages 70 - 81.

Form No. 3  
 5-82

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Sulphur Mining Lease

STATE OF TEXAS        §  
                               §     KNOW ALL MEN BY THESE PRESENTS:  
 COUNTY OF PECOS     §

This Lease, made and entered into this 13th day of August, 1982, by and between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, acting pursuant to Section 66.44 of the Texas Education Code, herein called "Lessor", and \_\_\_\_\_, of \_\_\_\_\_, herein called "Lessee," WITNESSETH:

1. Lessor, in consideration of the payment by Lessee of the sum of \_\_\_\_\_ Dollars, the receipt of which is acknowledged, the rents and royalties to be paid, the covenants and conditions to be observed and performed by Lessee, does hereby demise, grant, lease, and let unto the Lessee the land described below for five (5) years from the date hereof, said period being the primary term of this Lease, and as long thereafter as sulphur is mined and marketed in paying quantities therefrom, subject to such conditions as are hereinafter set out,

for the sole and only purpose of prospecting and exploring for and mining, developing, producing, removing, and marketing of sulphur that may be found and produced from the following described lands, same being a part of the Permanent University Fund Lands, to-wit:

2. Lessee shall have the right to use so much of the surface of the land covered by this Lease as may be reasonably necessary for the full exercise and enjoyment of the rights and interests hereby granted, including the right to use, free of cost, nonpotable water found and produced by Lessee on said land for its own operations thereon, except water from wells or tanks of Lessor or its surface lessees; the right to construct and maintain thereon all necessary works, buildings, plants, roads, water lines, pipelines, gathering lines, telephone and telegraph lines, and power lines; and also the right of ingress and egress and right-of-way to any point of operations under conditions of least injury to the occupant of the surface or the holder of any existing oil and gas lease or easement. However, all operations conducted on this Lease shall be subject to the damage payments to Lessor as set out in the current University of Texas Lands Damage Schedule. This Schedule of charges, however, shall not in any way limit the liability of Lessee in any action at law for any damages inflicted upon the surface lessees by reason of any acts committed by Lessee in its operations and Lessee shall pay the surface lessees for damages caused by its operations to all personal property, improvements, livestock and crops on said land owned by said surface lessees. It is further agreed and understood that where Lessee and surface lessees cannot agree as to the amount of damages, if any, that may have been sustained by a surface lessee, then Lessor shall have the right, without any liability as to payment, to fix and determine the amount of damages due to surface lessees.

It is expressly provided, however, that no operations under this Lease shall in any way conflict with or cause damage to any

valid operation or equipment installation under any existing oil and gas lease on said lands, and the operations authorized hereunder shall not unreasonably interfere with future orderly development of oil and gas by lessees of the University when such development does not jeopardize the operations permitted hereunder.

It is further expressly provided that the use of the water herein granted shall include the use of nonpotable water only for refining or concentration plant operations or for mining by the Frasch sulphur process. As used herein, the term nonpotable water means all water obtained from depths below the top of the Permian formation which contains more than two thousand five hundred (2,500) parts per million total solids. Nonpotable water may not be taken from any formation from which oil or gas is being produced.

3. If, before the end of the primary term, sulphur shall not have been produced from the premises in paying quantities, this Lease shall terminate; provided the term or life of this Lease may be extended if production of sulphur, after once obtained, shall cease for any cause, and Lessee, within sixty (60) days thereafter, commences additional mining, development, producing, or reworking operations, then this Lease shall remain in full force and effect so long as such operations continue in good faith and in a workmanlike manner without interruptions totaling more than sixty (60) days during any one such operation; and if such operations result in the production of sulphur, this Lease shall remain in full force so long as sulphur is produced therefrom in paying quantities. If, at the expiration of the primary term, production of sulphur has not been obtained in paying quantities on the leased premises but drilling or other operations are being conducted thereon in good faith and in a good and workmanlike manner, Lessee may, on or before the expiration of the primary term, file written application to Lessor for an extension of this Lease of six (6) months, such

application to be accompanied by a payment of Fifty Dollars (\$50.00) per acre for each acre in the Lease, and Lessor shall in writing extend this Lease for a period of six (6) months from and after the expiration of the primary term and so long thereafter as sulphur is produced in paying quantities from the premises. Provided, however, Lessee may, so long as such drilling or other operations are being conducted in good faith, make written application to Lessor, on or before the expiration of the initial extended period of six (6) months for an additional extension of six (6) months, such application to be accompanied by a payment of Fifty Dollars (\$50.00) per acre for each acre in the Lease, and Lessor shall in writing extend this Lease for additional periods of six (6) months from and after the expiration of the initial extended period of six (6) months and so long thereafter as sulphur is produced in paying quantities from the premises, and provided further, that this Lease shall not be extended for more than five (5) years from and after the expiration of the primary term, unless production in paying quantities has been obtained.

4. If production of sulphur has not been obtained, and royalty is not being paid on or before the first anniversary date of this Lease, this Lease shall terminate unless Lessee, on or before said anniversary date, shall pay or tender to the Board of Regents of The University of Texas System, c/o University Lands Accounting Office, Box 579, Austin, Texas, 78767, the sum of Five and No/100 Dollars (\$5.00) per acre, which payment shall act as a rental and shall cover the privilege of deferring production of sulphur for one (1) year from said anniversary date. In like manner and upon like payments or tenders annually, Lessee may defer the commencement of production for successive periods of one (1) year each during the primary term hereof.

5. In consideration of the foregoing, Lessee hereby agrees:

(a) To make a radioactivity survey (Gamma Ray-Neutron or the equivalent) from the surface to a total depth of each core

hole and/or drill hole, whether such penetration was for sulphur evaluation or other purposes. It is agreed and understood, however, that no penetration may be made into any formation known to be productive of oil or gas in the general area without permission of the Manager of University Lands--Oil, Gas and Mineral Interests.

(b) To pay Lessor a royalty of 1/6th of the gross value at the mine of the sulphur produced and sold.

Gross value as used herein shall be equal to the highest price paid or value per long ton (2,240 pounds) at any mine within the same general area, without penalties or deductions for like products of like quality, or the price actually paid to the Lessee, or the posted price, whichever is greatest. General area as used herein shall mean the Texas counties of Culberson, Loving, Hudspeth, Pecos, Reeves, Ward, and Winkler.

Lessee shall properly weigh or measure all sulphur produced under this Lease by some standard or method of weighing or measuring such production which is approved by Lessor for the purpose of making settlement and payment of all royalty due or to become due and payable by Lessee to Lessor hereunder.

During the life of this Lease all royalty that may be due shall be payable to the Board of Regents of The University of Texas System, on or before the 20th day of each succeeding month for the month in which the sulphur was produced or sold. Such payments shall be forwarded to the University Lands Accounting Office, Box 579, Austin, Texas, 78767, accompanied by a sworn statement showing the production sales and value, in standard terms of measurement, of all sulphur produced and sold. Any royalty not paid or affidavits and supporting documents not filed when due shall become delinquent and shall have added to the sum owing a delinquency penalty of one percent (1%) of such sum for each thirty (30) day period of delinquency or a fractional period thereof; provided, however, that each such penalty shall never be less than Five and No/100 Dollars (\$5.00). The Lessee shall bear

all responsibility for paying or causing royalties to be paid, as prescribed by the due date provided herein. Payment of the delinquency penalty shall in no way operate to prohibit the Lessor's right of forfeiture, as provided herein, nor act to postpone the date on which royalties were originally due.

6. When production of sulphur is commenced, as a minimum and advance royalty, the Lessee shall pay the sum of Twenty Five and No. 100 Dollars (\$25.00) per acre to the Board of Regents of The University of Texas System on or before the anniversary date of this Lease in advance for each year sulphur is produced from the leased premises. In the event that Lessee does not extract from the said premises sulphur with the royalty value being equal to or greater than the said minimum amount above specified during each lease year that sulphur is produced, it is nevertheless understood that the above sum is due and payable to the Board of Regents of The University of Texas System at Austin, Texas, whether sufficient sulphur is mined or not during each year, but that such minimum advance royalty will be credited upon the first royalties due as above provided for sulphur actually produced from the said premises and sold or used during the year for which such minimum royalty was paid.

7. In further consideration of this Lease, Lessee agrees and covenants as follows:

(a) To contact the Manager of University Lands--Oil, Gas and Mineral Interests, Midland, Texas, before commencing any operations hereunder.

(b) To furnish the Manager of University Lands--Oil, Gas and Mineral Interests, with the following information:

(1) A chemical analysis of the water produced from any water well within sixty (60) days after completion of such water well, and thereafter, from time to time and upon request, additional chemical analyses of such water.

(2) Two full scale copies of each electric or radioactivity survey made of the bore-hole sections, certified as

to authenticity and location, within fifteen (15) days after the completion of such survey. Lessee shall include along with such survey a report for each bore hole or all water bearing formations encountered with an estimate of each formation's water production potential.

(3) A "½ cut" of all cores, upon request, within thirty (30) days after such request.

(4) A cut of any bore-hole samples, upon request, within thirty (30) days after such request.

(5) A copy of all analyses made or contracted for by Lessee of any cores or samples of any minerals, within thirty (30) days of the making thereof.

(6) A bona fide copy of any log, report, or other data or information compiled as the result of Lessee's making any data compiling survey on the premises covered by this Lease, within thirty (30) days after the making thereof.

(7) A map or maps, submitted annually, showing all prospecting and development work done on the leased premises, all buildings, structures, and workings placed thereon, all roads constructed, and all water wells drilled thereon during the preceding twelve (12) months, together with all related information.

(8) A copy of all forms, applications, permits, and any and all other forms that Lessor deems pertinent, sent to or received from any local State or Federal regulatory agencies concerning all or any portion of the operations permitted under the terms of this Lease.

(c) To conduct all operations hereunder in a manner consistent with good and economical practice with due regard for good land management, avoidance of unnecessary damage or waste, and in a reasonable manner as regards the rights of other University lessees.

(d) To prosecute the operations called for herein with reasonable diligence, skill, and care in such manner as to achieve and maintain maximum production of the minerals or

mineral containing ores from the leased premises consistent with good mining practice, the size of the deposit, and sound economy.

(e) To comply with all requirements of pertinent State and Federal laws applicable to the conduct of mining operations.

(f) To allow Lessor, or the authorized representatives thereof, at all reasonable times to enter upon the leased premises and into all parts of the mine for the purposes of inspection, drilling, sampling, and mapping.

(g) To keep proper records of (1) development work and drilling performed; (2) tonnage of sulphur mined and sold; (3) assay data pertaining thereto; (4) payments received for sale of sulphur; and (5) costs of transportation of sulphur to the point of delivery. Lessee shall furnish a true copy of such information to Lessor quarterly, within twenty (20) days after the close of February, May, August, and November of each year during the life of this Lease, such report to be made to the University Lands Accounting Office, The University of Texas System, Austin, Texas, or such other office as may be designated by Lessor in writing.

(h) To permit the Lessor, or authorized representatives thereof, to inspect Lessee's maps and assay records relating to the leased premises and all other records specified in Items 1, 2, 3, 4, and 5 of subparagraph (g) above.

(i) To protect and indemnify Lessor against any claims arising in connection with the activities of the Lessee under this Lease.

(j) To post in a conspicuous place on the leased premises a legible notice which shall state that neither Lessor, The Board of Regents of The University of Texas System, nor the State of Texas is or shall be held responsible for any accidents, damages to property, injuries to persons, or for debts or other liabilities incurred as a result of operations by Lessee.

(k) To store or impound all nonpotable water in water-tight tanks or lined surface pits so as to prevent the pollution of potable surface or subsurface waters. All surface

pits shall be sealed with an impervious material and be constructed and maintained in such a manner that will prevent any leakage, seepage, or other escape of deleterious substances.

(l) To construct such fences, barricades, etc., as will adequately protect persons or livestock from injury.

(m) To fill and level all pits, trenches, and other excavations whenever same are abandoned or the use thereof is discontinued.

(n) To plug all holes or wells drilled on the lands in the manner required by Lessor so as to prevent any contamination of subsurface waters. All surface casing in a well used in a liquid mining process shall be set and cemented at a depth adequate to protect all fresh water formations. Cementing shall be by the pump and plug method with a sufficient volume of cement used to fill the annular space back of the casing to the surface of the ground or the bottom of the cellar.

8. In all cases, the authority of a manager or agent to act for Lessee herein must be filed with Lessor.

9. Any easement not pertaining to or in conflict with the operation of this Lease may be issued by Lessor.

10. If Lessee shall fail or refuse to make the payment of any sum due under the provisions of this Lease, either as rental or as royalty on the production, within thirty (30) days after the due date thereof; or if Lessee or his authorized agent should make any false report or false return concerning production, royalty, exploration, or mining operations, or should fail to render any reports required to be filed or that may be requested by Lessor as provided herein; or if Lessee should fail to perform any of the operational obligations specified herein, or should refuse the proper authority access to the property, the mine, or the records pertaining thereto; or if any of the material terms of this Lease are violated by Lessee, this Lease shall be subject to forfeiture by Lessor by an order entered upon the Minutes of the Board of Regents of The University of Texas System reciting the facts constituting the default and declaring the forfeiture.

Upon application made by Lessee within thirty (30) days after declaration of forfeiture and proper showing by Lessee, this Lease may, at the discretion of the Lessor and upon such terms as it may prescribe, be reinstated. In case of violations by the Lessee of the provisions of this Lease, the remedy by forfeiture shall not be the exclusive remedy, but a suit for damages or specific performance, or both, may be filed by Lessor.

11. Lessor shall have a first lien upon all ores, sulphur, and other minerals produced from the premises and upon all machinery, equipment, appliances, telephone lines, power transmission lines, or other property situated on the premises, owned by the Lessee, and used in the production and handling of ores, sulphur, and other minerals produced therefrom to secure any amount due from Lessee herein and to secure performance of any of the provisions contained in this Lease contract.

12. If this Lease shall be forfeited or terminated for any cause, Lessee shall not, in any event, remove any part of the ores, sulphur, minerals, material, equipment, appliances, or property owned by Lessee and used by him in operations under this Lease without the written consent of Lessor.

13. Lessee agrees to record this Lease promptly, at his own cost and expense, in the county or counties in which the leased premises are located, not more than sixty (60) days after receipt thereof from Lessor and to furnish Lessor a certified copy of same within fifteen (15) days thereafter.

14. Assignment of this Lease, in whole or in part, may be made only with the written consent of Lessor. Any assignment of this Lease, approved by Lessor, shall be filed for record, in the county or counties in which said leased premises are located within sixty (60) days after receipt of approval by Lessor, and two certified copies of such recorded assignment shall be filed with Lessor, at Austin, Texas, within sixty (60) days after such recording, accompanied by any required filing or assignment fees.

15. Lessee may, at any time during the term hereof, relinquish all or any part of the leased premises in increments

of standard northeast, northwest, southeast, or southwest one-quarter (1/4) sections only by recording an instrument or instruments of relinquishment in the county or counties in which the land may be situated, and two certified copies of such relinquishment or relinquishments shall be filed with Lessor, at Austin, Texas, accompanied by any required filing fees. Any such relinquishment or relinquishments shall relieve Lessee of all future obligations with respect to the released land but shall not relieve Lessee of any past due obligations accrued thereon or impair Lessor's lien herein provided for.

16. Should Lessee be prevented from complying with any expressed or implied covenant of this Lease, from conducting operations on the leased premises, or from producing sulphur therefrom, by reason of war, rebellion, riots, strikes, acts of God, or any law, rule order, or regulation of any governmental body or agency, or any other cause (such as unavailability of parts), whether similar or dissimilar, beyond the reasonable control of Lessee, then while so prevented, Lessee's obligation to comply with such covenant shall be suspended, and Lessee shall not be liable for damages for failure to comply therewith, and the terms of this Lease shall be extended while and so long as Lessee is prevented by any such cause from conducting operations on or producing sulphur from the leased premises; provided, however, that nothing herein shall be construed to suspend the payment of rentals.

17. The covenants, conditions, and agreements contained herein shall extend to and be binding upon the heirs, executors, administrators, successors, or assigns of the parties herein.

EXECUTED by the parties as of the day and year first above written.

ATTEST:

BOARD OF REGENTS OF THE  
UNIVERSITY OF TEXAS SYSTEM

\_\_\_\_\_  
Arthur H. Dilly  
Executive Secretary

By: \_\_\_\_\_  
JOE E. BOYD, JR., Vice  
Chancellor for Business Affairs

LESSOR

ATTEST:

\_\_\_\_\_

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

LESSEE

Approved as to Form:

Approved as to Content:

\_\_\_\_\_  
Edward Shivers  
University Attorney

\_\_\_\_\_  
Laddie F. Long  
Manager of University Lands--  
Oil, Gas and Mineral Interests

THE STATE OF TEXAS     §  
                                   §  
COUNTY OF TRAVIS     §

This instrument was acknowledged before me on \_\_\_\_\_,  
1982, by JOE E. BOYD, JR., Vice Chancellor for Business Affairs  
of the Board of Regents of The University of Texas System, on  
behalf of said Board.

\_\_\_\_\_  
Notary Public, State of Texas

My commission expires:

\_\_\_\_\_

THE STATE OF TEXAS     §  
                                   §  
COUNTY OF             §

This instrument was acknowledged before me on \_\_\_\_\_,  
1982, by \_\_\_\_\_ of \_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
Notary Public, State of Texas

My commission expires:

\_\_\_\_\_

2. Permanent University Fund - Acceptance of Phase II Report from Booz, Allen and Hamilton, Inc., of the Study to Assess the Economic Feasibility of Vineyard Winery Development on University-Owned Lands in West Texas and Authorization to Continue Project Through 1982. -- In the committee report, Committee Chairman Hay noted that representatives of Booz, Allen and Hamilton, Inc., had presented a report on Phase II of the Study to Assess the Economic Feasibility of Vineyard Winery Development on University-Owned Lands in West Texas in the Land and Investment Committee meeting on Thursday, June 10. He noted also that all members of the Board were present during the consultants' report.

FILE NO. 1020  
DOCUMENT  
REMARKS

Committee Chairman Hay moved that the Board accept the recommendations of Booz, Allen and Hamilton, Inc., as set forth on Page III-7 of the Phase II Study of the Commercial Feasibility of Grape and Wine Production on University of Texas Lands authorizing:

- a. the continuation of the program through 1982
- b. the staff to proceed with preparation of marketing documents and lease, royalty guidelines
- c. the staff to proceed with test marketing of project
- d. the preparation of the land for later plantings
- e. the planning, siting, obtaining permits, and making engineering and construction contacts for the winery

In each of the above the actions are to be to the extent and in the manner recommended in the cited Booz, Allen and Hamilton, Inc., report.

Regent Richards seconded the motion which was approved without objection.

During the remainder of the calendar year 1982, the Office of the Chancellor will report on the progress of this project to the Land and Investment Committee of the Board of Regents at each meeting and will make further recommendations as appropriate.

## II. TRUST AND SPECIAL FUNDS

### A. GIFTS, BEQUESTS AND ESTATES

1. U. T. Austin: Establishment of the Sidney F. and Doris Blake Centennial Professorship in Systematic Botany and the Blake Collection in the College of Natural Sciences and Eligibility for Matching Funds from The Centennial Teachers and Scholars Program. -- Approval was given to establish the Sidney F. and Doris Blake Centennial Professorship in Systematic Botany and the Blake Collection in the Department of Botany, College of Natural Sciences, at The University of Texas at Austin with funds in the amount of \$150,000 received as a partial distribution from the estate of Mrs. Doris Holmes Blake which was accepted by the U. T. Board of Regents on May 30, 1980.

FILE NO. 1020  
DOCUMENT  
REMARKS

Income from the endowment will be used to support the Professorship, research, botanical field work, and related scholarly activities in the Plant Resources Center, especially as this work pertains to the Blake Collection (Dr. Blake's personal plant collection of 150,000

specimens which is currently housed in the Plant Resources Center in Painter Hall at U. T. Austin. This collection was purchased by the Texas Research Foundation after Dr. Blake's death and came to U. T. Austin following the demise of that Foundation.)

The matching allocation from The Centennial Teachers and Scholars Program will be added to this Professorship.

Upon completion of the administration of this estate, a final report will be submitted to the U. T. Board of Regents.

See Page 26 for the initial appointment to this Professorship.

2. U. T. Austin: Establishment of the Robert E. Boyer Centennial Professorship in Geology in the College of Natural Sciences and Eligibility for Matching Funds from The Centennial Teachers and Scholars Program. -- The Board established the Robert E. Boyer Centennial Professorship in Geology in the Department of Geological Sciences, College of Natural Sciences, at The University of Texas at Austin.

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This Professorship will be funded by gifts from Mr. and Mrs. James R. Moffett of Metairie, Louisiana, of 5,600 shares of Freeport-McMoRan, Inc. common stock with a book value of \$252,000 received December 3, 1980, and \$51,030.25 cash (proceeds from the sale of 2,021 shares of New Orleans Bancshares, Inc. common stock received March 22, 1982) being held in the Dr. Robert E. Boyer Endowment Fund.

The \$51,030.25 received since September 1, 1981, will be matched from The Centennial Teachers and Scholars Program and will be added to this Professorship.

See Page 26 for the initial appointment to this Professorship.

3. U. T. Austin: Establishment of the George Christian Centennial Professorship in the College of Communication and Establishment of the Jo Anne Christian Centennial Professorship in British Studies in the College of Liberal Arts with Matching Funds from The Centennial Teachers and Scholars Program. -- The Board established the George Christian Centennial Professorship in the College of Communication at The University of Texas at Austin. Funding for this Professorship will be provided by docketed gifts in the amount of \$50,000 and outstanding pledges of \$50,000 from various donors.

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As funding for this Professorship is completed, gifts will be matched from The Centennial Teachers and Scholars Program and the Jo Anne Christian Centennial Professorship in British Studies in the College of Liberal Arts will be established in accordance with the request of Mr. Ben Barnes and Mr. Larry Temple, the organizers of the endowment.

4. U. T. Austin: Acceptance of Gift from The James R. Dougherty, Jr. Foundation, Beeville, Texas, and Establishment of the James R. Dougherty, Jr. Centennial Professorship in Nursing Service Administration in the School of Nursing and Eligibility for Matching Funds from The Centennial Teachers and Scholars Program. -- Approval was given to accept a \$100,000 gift from The James R. Dougherty, Jr. Foundation, Beeville, Texas, and to establish The James R. Dougherty, Jr. Centennial Professorship in Nursing Service Administration in the School of Nursing at The University of Texas at Austin.

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Further, the Board approved that these funds be matched from The Centennial Teachers and Scholars Program and that in accordance with the donor's request, the matching allocation be used to establish an endowed faculty position in the Department of Classics, College of Liberal Arts. A recommendation regarding this faculty position will be presented at a later date.

- 5. U. T. Austin: Acceptance of Gift and Pledge from Dresser Industries, Inc., Dallas, Texas, and Establishment of the Dresser Industries, Inc. Centennial Lectureship in the College of Business Administration and the Graduate School of Business and Eligibility for Matching Funds from The Centennial Teachers and Scholars Program. -- Upon recommendation of the Land and Investment Committee, the Board accepted a \$10,000 gift and a \$10,000 pledge from Dresser Industries, Inc., Dallas, Texas, and established the Dresser Industries, Inc. Centennial Lectureship in the College of Business Administration and the Graduate School of Business at The University of Texas at Austin. The pledge will be paid in 1983.

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As funding for this Lectureship is completed, these funds will be matched from The Centennial Teachers and Scholars Program and, in accordance with the donor's request, the matching allocation will be added to the Lectureship.

- 6. U. T. Austin: Acceptance of Gift of Securities from Mrs. Ruth P. Elliott, Austin, Texas, and Establishment of the John E. "Brick" Elliott Centennial Endowed Professorship in Geological Sciences in the College of Natural Sciences and Eligibility for Matching Funds from The Centennial Teachers and Scholars Program (No Publicity). -- Approval was given to accept a gift of securities (1,125 shares of Burlington Northern, Inc. common stock, 1,125 shares of Hart Schaffner & Marx common stock and 331 shares of CSX Corporation common stock) valued at approximately \$100,296 from Mrs. Ruth P. Elliott of Austin, Texas, and to establish the John E. "Brick" Elliott Centennial Endowed Professorship in Geological Sciences in the Department of Geological Sciences, College of Natural Sciences, at The University of Texas at Austin.

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Further, this gift will be matched from The Centennial Teachers and Scholars Program and will be added to the Professorship in accordance with the donor's wishes.

It was requested that no publicity be given to this matter.

- 7. U. T. Austin: Acceptance of Gift and Pledge from E. I. duPont de Nemours & Company, Wilmington, Delaware, and Establishment of the (a) Engineering Foundation Centennial Teaching Fellowship in Electrical Engineering No. 1 and (b) Engineering Foundation Centennial Teaching Fellowship in Electrical Engineering No. 2 and Establishment of the (a) Engineering Foundation Centennial Teaching Fellowship in Engineering No. 1 and (b) Engineering Foundation Centennial Teaching Fellowship in Engineering No. 2 with Matching Funds from The Centennial Teachers and Scholars Program, All Within the College of Engineering. -- The Board accepted a gift of \$25,000 and a pledge of \$100,000 (to be completed August 31, 1985) from E. I. duPont de

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Nemours & Company, Wilmington, Delaware, and established the following teaching fellowships in the Department of Electrical Engineering at The University of Texas at Austin:

- a. Engineering Foundation Centennial Teaching Fellowship in Electrical Engineering No. 1 - \$50,000
- b. Engineering Foundation Centennial Teaching Fellowship in Electrical Engineering No. 2 - \$75,000

As funding for these Fellowships is completed, these gifts will be matched from The Centennial Teachers and Scholars Program and the following teaching fellowships will be established in the College of Engineering:

- a. Engineering Foundation Centennial Teaching Fellowship in Engineering No. 1 - \$50,000
- b. Engineering Foundation Centennial Teaching Fellowship in Engineering No. 2 - \$75,000

8. U. T. Austin: Acceptance of Pledge from Mr. and Mrs. Burton Grossman, Tampico, Tamaulipas, Mexico, and Establishment of the Burton and Miriam Grossman Centennial Endowed Professorship and Eligibility for Matching Funds from The Centennial Teachers and Scholars Program. -- Upon recommendation of the Land and Investment Committee, the Board accepted a \$100,000 pledge from Mr. and Mrs. Burton Grossman of Tampico, Tamaulipas, Mexico, and established the Burton and Miriam Grossman Centennial Endowed Professorship at The University of Texas at Austin. The pledge will be paid in January 1984 and the designated field for this Professorship will be reported to the Board.
 

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When this pledge is received, an additional professorship will be created with the matching allocation from The Centennial Teachers and Scholars Program.

9. U. T. Austin: Establishment of The Florence Thelma Hall Visiting Centennial Professorship in Law in the School of Law and Establishment of The Florence Thelma Hall Visiting Centennial Professorship in Music in the College of Fine Arts with Matching Funds from The Centennial Teachers and Scholars Program. -- At the request of the Law School Foundation (an external foundation), The Florence Thelma Hall Visiting Centennial Professorship in Law was established in the School of Law at The University of Texas at Austin in accordance with the Regents' Rules and Regulations. This Visiting Professorship will be funded by the Law School Foundation and administered per the agreement with the Foundation.
 

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Further, the Board authorized the allocation of matching funds from The Centennial Teachers and Scholars Program in the amount of \$50,000 for the establishment of The Florence Thelma Hall Visiting Centennial Professorship in Music in the College of Fine Arts. The matching allocation will be held and administered by the U. T. Board of Regents.

10. U. T. Austin: Acceptance of Pledge from Johnson & Johnson Products, Inc., Personal Products Company, Johnson & Johnson Baby Products Company and Chicopee, All Subsidiaries of Johnson & Johnson, New Brunswick, New Jersey, and Establishment of the Johnson & Johnson Centennial Chair in Plant Cell Biology in the College of Natural Sciences and Eligibility for Matching Funds from The Centennial Teachers and Scholars Program. -- The Board accepted a \$500,000 pledge from Johnson & Johnson Products, Inc., Personal Products Company, Johnson & Johnson Baby Products Company and Chicopee, all subsidiaries of Johnson & Johnson, New Brunswick, New Jersey, and established the Johnson & Johnson Centennial Chair in Plant Cell Biology in the Department of Botany, College of Natural Sciences, at The University of Texas at Austin.

In accordance with the donors' wishes, the matching allocation from The Centennial Teachers and Scholars Program will be added to the Chair when funding is completed in August 1982.

See Page 25 for the initial appointment to this Chair.

11. U. T. Austin: Establishment of the Mildred Caldwell and Baine Perkins Kerr Centennial Professorship in Mathematics in the College of Natural Sciences with Matching Funds from The Centennial Teachers and Scholars Program. -- The Board approved the establishment of the Mildred Caldwell and Baine Perkins Kerr Centennial Professorship in Mathematics in the College of Natural Sciences at The University of Texas at Austin with matching funds from The Centennial Teachers and Scholars Program.

This matching allocation stems from the gift of securities valued at \$54,106 and pledge of \$45,894 from Mr. and Mrs. Baine Kerr which were accepted by the U. T. Board of Regents at the February 11-12, 1982 meeting and which were used to establish the Mildred Caldwell and Baine Perkins Kerr Centennial Professorship in English History and Culture in the College of Liberal Arts.

12. U. T. Austin: Acceptance of Gift from the Hobby Foundation, Houston, Texas, and Establishment of the DeWitt Carter Reddick Centennial Professorship in Journalism Education in the College of Communication and Establishment of the William P. Hobby Centennial Professorship in Communication in the College of Communication with Matching Funds from The Centennial Teachers and Scholars Program. -- Approval was given to accept a gift of \$100,000 from the Hobby Foundation of Houston, Texas, and to establish the DeWitt Carter Reddick Centennial Professorship in Journalism Education in the College of Communication at The University of Texas at Austin.

Further, the Board authorized the allocation of matching funds from The Centennial Teachers and Scholars Program in the amount of \$100,000 for the establishment of the William P. Hobby Centennial Professorship in Communication in the College of Communication in memory of former Governor Hobby and in accordance with the donor's request.

13. U. T. Austin: Acceptance of Gift from Mr. and Mrs. W. C. Arrington, Beaumont, Texas, and Matching Corporate Funds from Mobil Foundation, Inc., New York, New York, and Establishment of the William C. and Marjorie M. Arrington Centennial Endowed Scholarship in the College of Engineering. -- Upon the recommendation of the Land and Investment Committee, the Board accepted a \$5,000 gift from Mr. and Mrs. W. C. Arrington of Beaumont, Texas, and \$10,000 matching corporate funds from Mobil Foundation, Inc., New York, New York, and established the William C. and Marjorie M. Arrington Centennial Endowed Scholarship in the College of Engineering at The University of Texas at Austin.

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The scholarship will be awarded to undergraduate students in the Department of Chemical Engineering in the College of Engineering until otherwise specified, but the donors retain the right to specify other schools, colleges or academic departments to receive the scholarship with the approval of the U. T. Board of Regents.

14. U. T. Austin: Establishment of the Robert E. Eakin Endowed Centennial Scholarship in the College of Natural Sciences. -- The Board established the Robert E. Eakin Endowed Centennial Scholarship in the Department of Chemistry, College of Natural Sciences, at The University of Texas at Austin. Funding for this Scholarship, in the amount of \$10,000, was from gifts contributed for this purpose from various donors.

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The income from this endowment will be used to provide an annual scholarship for a graduate student majoring in biochemistry.

15. U. T. Austin: Establishment of the Mike Hogg Professorship of Urban Management in the Lyndon B. Johnson School of Public Affairs and Approval to Transfer Funds from the Mike Hogg Fund Current Restricted Account. -- Upon recommendation of the Land and Investment Committee, approval was given to establish the Mike Hogg Professorship of Urban Management in the Lyndon B. Johnson School of Public Affairs at The University of Texas at Austin and to transfer \$200,000 from the Mike Hogg Fund current restricted account to provide funding for the Professorship.

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See Page 25 for the initial appointment to this Professorship.

16. U. T. Austin: Establishment of the McCamish, Ingram, Martin & Brown, Inc. General Endowment in the School of Law and Naming of Room 3.212 in Townes Hall (Regents' Rules and Regulations, Part One, Chapter VIII, Section 1.3). -- At the request of the Law School Foundation (an external foundation), the Board established the McCamish, Ingram, Martin & Brown, Inc. General Endowment in the School of Law at The University of Texas at Austin in accordance with the Regents' Rules and Regulations. The funds for the endowment will be held and administered per the agreement with the Law School Foundation.

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Further, the Board authorized that Room 3.212 in the new addition to Townes Hall be named in honor of the law firm, McCamish, Ingram, Martin & Brown, Inc., San Antonio, Texas, in accordance with the provisions of the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1.3.

17. U. T. Austin: Acceptance of Gift from Mrs. Marie A. Szygenda, Austin, Texas, and Establishment of the Dr. Stephen A. Szygenda Centennial Scholarship in Electrical Engineering in the College of Engineering. -- Approval was given to accept a \$15,000 gift from Mrs. Marie A. Szygenda, Austin, Texas, and to establish the Dr. Stephen A. Szygenda Centennial Scholarship in Electrical Engineering at The University of Texas at Austin. Income will be used to provide scholarships for students majoring in Computer Engineering in the Department of Electrical Engineering.

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18. U. T. El Paso: Establishment of the Schellenger Professorship in Electrical Research. -- The Board established the Schellenger Professorship in Electrical Research in the Department of Electrical Engineering at The University of Texas at El Paso. Funding in the amount of \$100,000 will be from the Schellenger Foundation Trust, which was established by the Will of Emma H. Schellenger in the early 1950's. U. T. El Paso is the beneficiary of the resultant trust income.

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Income from the endowment will be used by a faculty member occupying the Professorship to stimulate and promote funded research by providing seed money, travel, wages and salaries for support staff.

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19. U. T. Health Science Center - Dallas: Acceptance of Gifts and Pledges from Mrs. Ruth Collins Sharp, Carr P. Collins Foundation and Stanton Sharp Trust, Dallas, Texas, and Establishment of the Stanton Sharp Chair in Psychiatry. -- Upon recommendation of the Land and Investment Committee, the following gifts and pledges to be paid in 1983 were accepted:

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Donor	Amount	
	Cash	Pledge
Mrs. Ruth Collins Sharp	\$100,000	\$ -0-
Carr P. Collins Foundation	125,000	125,000
Stanton Sharp Trust	75,000	75,000
Totals	\$300,000	\$200,000

In recognition of these gifts, the Stanton Sharp Chair in Psychiatry at The University of Texas Health Science Center at Dallas was established.

20. U. T. Health Science Center - Houston (U. T. Medical School - Houston): Establishment of the John B. Holmes Professorship in the Clinical Sciences. --

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Approval was given to establish the John B. Holmes Professorship in the Clinical Sciences at the U. T. Medical School - Houston of The University of Texas Health Science Center at Houston. Funding of \$150,000 from previously reported gifts from Mrs. John B. Holmes and family will endow the Professorship and support an annual symposium oriented towards the care of chronically disabled patients or the chronic diseases.

Of the \$150,000 endowment, income earned from endowment funds in excess of \$100,000 will be used to support the symposium as long as the idea is feasible. At the request of

The terms of the order of this Professorship will be an individual and, by his career, exemplifies the close bond between the Hermann Hospital and the U. T. Health Science Center - Houston.

See Page 36 for the initial appointment to this Professorship.

B REAL ESTATE MATTERS

1. U. T. System - W. C. Hogg Memorial Fund: Oil and Gas Lease Covering Undivided Mineral Interest in the Stephen F. Austin 3 1 6 Leagues, Abstract 2, Wharton County, Texas, to The Greenbriar Corporation, Houston, Texas. --An oil and gas lease covering the University's undivided 25% mineral interest in approximately 174.17 acres of land in the Stephen F. Austin 3 1 6 Leagues, Abstract 2, Wharton County, Texas (W. C. Hogg Memorial Fund), was granted to The Greenbriar Corporation, Houston, Texas. The lease provides for a 22.5% royalty and a term of six months. No bonus is to be paid, but if production is obtained and a continuous development program is not maintained, the lease will terminate with respect to all acreage except 20 acres surrounding the producing well.

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2. U. T. Austin - Fund for Alternative Energy Research and Development: Sale of Undivided Interest in Land in Santiago Gonzales League, Calhoun County, Texas, to Sonora Offshore Services, Inc., Victoria, Texas, and Acceptance of Pledge of Gift from Mr. Charles Cheatham, Victoria, Texas. --Upon recommendation of the Land and Investment Committee, the Board approved the sale of the University's undivided 38% interest in 1.69 acres of land in the Santiago Gonzales League, Calhoun County, Texas (Fund for Alternative Energy Research and Development at The University of Texas at Austin), to Sonora Offshore Services, Inc., Victoria, Texas for \$176,000. The note will bear interest at 12% per annum and will be amortized on a 20-year basis, but the outstanding principal balance plus accrued interest will be due at the end of the fifth year.

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The Board also accepted the pledge of Mr. Charles Cheatham, President and principal owner of Sonora Offshore Services, Inc., to donate \$750 per month for five years to the Fund for Alternative Energy Research and Development.

3. U. T. Austin (U. T. Marine Science Institute) - E. J. Lund Founder's Fund: Recommended Sale of Land in Austin, Travis County, Texas, to Carpenter & Associates, Inc., Trustee, and for Acceptance of Gift (Withdrawn). -- The item related to the proposed sale of approximately 11,200 square feet of land in Block 6, Original City of Austin, Travis County, Texas (E. J. Lund Founder's Fund for the U. T. Marine Science Institute of The University of Texas at Austin), to Carpenter & Associates, Inc., Trustee and the acceptance of a cash gift from Carpenter & Associates, Inc., was withdrawn.

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4. U. T. Austin - Estate of Bettie Margaret Smith: Oil and Gas Lease on Approximately 1,280 Acres in McCulloch County, Texas, to Mr. Ray Knox, San Antonio, Texas. -- An oil and gas lease to a depth of 3,000 feet only on approximately 1,280 acres of land in the Phillip Jung Surveys Nos. 1162 and 1163 and the Fisher & Miller Survey

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No. 2563, McCulloch County, Texas (Estate of Bettie Margaret Smith - The University of Texas at Austin), was granted to Mr. Ray Knox of San Antonio, Texas. The lease provides for a bonus of \$25 per acre, a royalty of 1/5, annual delay rentals of \$10 per acre and a three-year term.

5. U. T. Cancer Center (U. T. M. D. Anderson Hospital) - Blanche Bender Fund: Oil and Gas Lease of Undivided Mineral Interest in Montgomery County, Texas, to First Matagorda Corporation, Houston, Texas. -- Approval was given for an oil and gas lease covering an undivided 1/4 mineral interest in 247.5 acres in the Montgomery County School Land Survey, Abstract 351, Montgomery County, Texas (Blanche Bender Fund - The University of Texas System Cancer Center - U. T. M. D. Anderson Hospital), to First Matagorda Corporation, Houston, Texas. The lease provides for a 1/4 royalty, \$150 per acre bonus, \$10 per acre annual delay rentals, a three-year term and pooling in accordance with the rules and regulations of the Railroad Commission.

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### III. OTHER MATTERS

1. U. T. System - Depository Banks: Additions to Roster. -- Approval was given to add the following banks to the roster of depositories for The University of Texas System, subject to the execution by the banks of the standard Bank Depository Agreement:

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- \*Abilene National Bank
- \*Amarillo National Bank
- \*Texas Commerce Bank-Brownsville
- \*First City Bank of Corpus Christi
- \*Texas Commerce Bank-Longview
- \*First State Bank of Uvalde
- \*Victoria Bank and Trust
- \*First National Bank, Waco
- \*City National Bank in Wichita Falls
- Citizens Bank, Richardson
- The Alamo National Bank, San Antonio
- Southside State Bank, Tyler

\*Time deposits only

Regent Briscoe abstained from voting.

2. U. T. System: Temporary Housing Allowances for Newly Recruited Faculty Members. -- Upon recommendation of the Land and Investment Committee, Committee Chairman Hay moved that within the limits of available unrestricted funds at the respective component institutions of The University of Texas System, each component president, in his discretion, be authorized to provide temporary housing allowances to newly recruited faculty members within the following limits:

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- a. Amount: Up to a maximum of \$9,000 per year, the annual allowance would be in an amount equal to the difference between the recipient's actual annual interest-mortgage payment and the amount of interest required to service an 11<sup>c</sup> mortgage.

- b. Term: The allowance may be granted for an initial term of three years and may be continued thereafter at the discretion of the President for an additional three years. Whenever a reduction in the national mortgage rate to 11% or less, as evidenced by the Federal Home Loan Bank Board's published average rate occurs, the temporary housing allowance shall be terminated.

Subject to formal ratification of this action at the August meeting of the U. T. Board of Regents, Regent Fly seconded this motion which was approved without objection.

3. U. T. Austin - The Centennial Teachers and Scholars Program: Appropriations in 1981-82 and 1982-83 Budgets Increased. -- In connection with the Land and Investment Committee's budget review and a related review of the outstanding progress to date of The Centennial Teachers and Scholars Program at The University of Texas at Austin, Committee Chairman Hay moved that funds designated for matching private grants for the endowment of academic positions in the 1981-82 budget be increased from \$10,000,000 to \$20,000,000 and in the 1982-83 budget be increased from \$10,000,000 to \$15,000,000 thus increasing the total funds designated for this purpose from \$20,000,000 to \$35,000,000 for the biennium. The motion was seconded by Regents Richards and Newton and was adopted without objection.

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(Note: See Page 20 with reference to guidelines c. and d. to The Centennial Teachers and Scholars Program and Page 16 for approval of the 1982-83 Operating Budgets.)

## MATTERS REFERRED DIRECTLY TO THE BOARD

U. T. System: Authorization for Office of the Chancellor and U. T. System Administration to Conclude Negotiations Regarding Purchase of a Super King Air B-200 and Appropriation from Available University Fund. -- Vice-Chairman Rhodes moved that:

1. The Office of the Chancellor and U. T. System Administration be authorized to conclude negotiations with the State Aircraft Pooling Board and the State Purchasing and General Services Commission with regard to the purchase of a Super King Air B-200; and
2. As authorized by the current Appropriations Act on Page III-33, not to exceed \$1.9 million be appropriated from the Available University Fund for the purchase of a Super King Air B-200.

Regent Hay seconded the motion which prevailed by unanimous vote.

## ITEMS FOR THE RECORD

1. U. T. Board of Regents: Mr. Jon P. Newton Appointed Regental Representative to the U. T. Austin Ex-Students' Association Executive Council from July 1982 to June 1983. --Chairman Powell reported for the record the reappointment of Regent Jon P. Newton as a representative of the U. T. Board of Regents to the Executive Council of The Ex-Students' Association at The University of Texas at Austin from July 1982 to June 1983.
2. U. T. Austin - Geology Foundation Advisory Council: Acceptance of Membership. --On February 12, 1982, Mr. Frank W. McBee, Jr. of Austin, Texas, and Mr. V. F. Neuhaus of McAllen, Texas, were approved for membership on The University of Texas at Austin Geology Foundation Advisory Council for terms to expire on August 31, 1984. Their acceptances of membership are herewith reported for the record.
3. U. T. Dallas - Advisory Council for the School of Management and Administration: Acceptance of Membership. --On February 12, 1982, nominees were approved for membership on the Advisory Council for the School of Management and Administration at The University of Texas at Dallas. The acceptance of membership by those listed below is herewith reported for the record:

	<u>Term Expires</u>
Mr. Robert H. Boykin, Dallas	1982
Mr. Edward C. Nash, Jr., Dallas	1983
Mr. John L. Roach, Dallas	1984

4. U. T. Health Center - Tyler - Development Board: Membership --  
 On February 12, 1982, nominees were approved for membership  
 on The University of Texas Health Center at Tyler Development  
 Board. The Administration has reported that the following have  
 accepted their appointments as the initial members of this Develop-  
 ment Board:

	<u>Term Expires</u>
Mr. Jud Adams, Tyler	1984
John E. Adcock, D.D.S., Tyler	1982
Mr. James W. Arnold, Tyler	1984
Mr. Harold Beaird, Tyler	1983
Mr. Henry M. Bell, Jr., Tyler	1983
Mr. Allen Burt, Tyler	1982
Mrs. D. K. Caldwell, Tyler	1983
Mr. Charles L. Childers, Tyler	1983
Mr. Wilton H. Fair, Tyler	1983
Mrs. D. R. Glass, Austin	1982
Mr. Bob L. Herd, Tyler	1982
Mr. B. G. Hartley, Tyler	1984
Mr. Will A. Knight, Tyler	1984
Ms. Nancy Lake, Tyler	1983
Richard P. Lane, M.D., Wills Point	1982
R. A. Lester III, D.O., Tyler	1982
Mr. H. J. McKenzie, Tyler	1982
B. H. McVicker, M.D., Lufkin	1984
Sherroil A. Neill, M.D., Tyler	1982
Mr. George Oge, Sr., Tyler	1982
Mr. Harry Phillips, Tyler	1983
Dr. Blanche Prejean (Ph.D.), Tyler	1984
Mr. Thomas B. Ramey, Jr., Tyler	1983
Mr. Edwin Rasco, Tyler	1984
Mr. A. W. Riter, Jr., Tyler	1983
Mr. Robert M. Rogers, Tyler	1984
Mr. Isadore Roosth, Tyler	1984
Robert E. Rossman, M.D., Tyler	1982
Tom E. Smith, M.D., Mesquite	1984
Mr. Ralph Spence, Tyler	1983
Mr. Ernest S. Sterling, Tyler	1983
John C. Turner, M.D., Tyler	1984
James M. Vaughn, M.D., Tyler	1982
Mr. Dayton Walkup, Kilgore	1982
Mr. John Warner, Tyler	1982
Mr. Watson Wise, Tyler	1982
Mr. Royce E. Wisenbaker, Tyler	1984
Mr. James C. Wynne, Jr., Tyler	1983
Mr. Keating Zeppa, Tyler	1982

## EXECUTIVE SESSION OF THE BOARD OF REGENTS

Chairman Powell reported that the Board had met in Executive Session in Room 303 on Thursday afternoon (June 10) following the meetings of the Standing Committees and continued its meeting on Friday morning (June 11) to discuss matters in accordance with Article 6252-17, Sections 2(e), (f) and (g) of Vernon's Texas Civil Statutes: Litigation, Land Acquisition and Personnel Matters. See Page 3. The following action was taken:

1. U. T. System: Consideration of Personnel Aspects of the 1982-83 Operating Budgets, Including Educational and General Budgets, Auxiliary Enterprises, Contract Areas, Current Restricted and Designated Funds, and Service and Revolving Fund Activities. --  
Chairman Powell reported that the personnel aspects of the 1982-83 Operating Budgets, Including Educational and General Budgets, Auxiliary Enterprises, Contract Areas, Current Restricted and Designated Funds, and Service and Revolving Fund Activities, had been approved in open session during the previous report of the Finance and Audit Committee. See Page 16.  
Litigation FILE NO. 41  
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PAGES
2. U. T. Health Science Center - Houston (U. T. Medical School - Houston): Approval of Recommendation of Hearing Tribunal Regarding Nonrenewal of Appointment of Arnold Lande, M.D. --  
Regent Newton moved that the recommendation and findings of the Hearing Tribunal rejecting the contention of Arnold Lande, M.D., that his appointment at the U. T. Medical School - Houston of The University of Texas Health Science Center at Houston was not renewed because of his free speech activities be approved and adopted by the Board. The motion carried by unanimous vote. FILE NO. L  
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PAGES

REPORT OF BOARD FOR LEASE OF UNIVERSITY LANDS FILE NO. E  
DOCUMENT  
PAGES

Regent Fly, Chairman of the Board for Lease of University Lands, summarized the general operational statistics for the calendar year 1981 related to the University Lands:

Annual Oil Production	28,598,000 barrels	down 3%
Annual Gas Production	85,465,445 MCF	down 8%
Oil Wells	6,358	up 6%
Gas Wells	335	up 8%
Footage Drilled	3,522,248 feet	up 61%

In spite of the decrease in annual production of both oil and gas, oil royalties were up 47% over the previous year to approximately \$128,500,000, and gas royalties were up 36% to approximately \$43,300,000.

Regent Fly also reported that the next meeting of the Board for Lease would be held on Tuesday, June 29, 1982, in Austin, Texas.

REPORT OF SPECIAL COMMITTEE

U. T. Dallas - Special Committee on Endowment Lands in Collin and Dallas Counties, Texas: Policy Statement on Use of Proceeds from Sale of Certain Lands. -- The Special Committee on Endowment Lands in Collin and Dallas Counties, Texas, recommended and upon motion of Regent Hay, seconded by Regent Blumberg, the Board approved the following policy statement:

FILE NO. E  
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MARKS       

POLICY STATEMENT

As a matter of policy, the proceeds from any sale of lands acquired for and on behalf of The University of Texas at Dallas (1) by Deed of Gift from the Excellence in Education Foundation dated September 10, 1969, (2) by Deed of Gift from the Texas Research Foundation dated September 1, 1972, and (3) by Deed from the Excellence in Education Foundation dated February 27, 1975, shall be held as a permanent endowment for the attainment of a "margin of excellence" at The University of Texas at Dallas. The income from the investment of such proceeds will be made available at least annually through the normal budgetary process for expenditure by the President of The University of Texas at Dallas for the purpose of attaining such a "margin of excellence," and shall not be utilized or anticipated to enable the construction of facilities at The University of Texas at Dallas.

OTHER MATTERS

FILE NO. A-4  
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MARKS       

U. T. Board of Regents: Announcement of Appointment of Regent Beryl Buckley Milburn to Board of Directors of Association of Governing Boards of Universities & Colleges. -- On behalf of the Board, Chairman Powell congratulated Regent Beryl Buckley Milburn on her recent appointment to the Board of Directors of the Association of Governing Boards of Universities & Colleges.

SCHEDULED MEETING. -- Chairman Powell announced that the next meeting of the U. T. Board of Regents would be at the U. T. Health Science Center - San Antonio on August 12-13, 1982.

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ADJOURNMENT. -- There being no further business, the meeting was adjourned at 11:55 a. m.

Arthur H. Dilly  
Executive Secretary

June 17, 1982