M. D. ANDERSON: AUTHORIZATION FOR AND CREATION OF THE UNIVERSITY OF TEXAS CANCER CENTER; APPOINTMENT OF DR. R. LEE CLARK AS PRESIDENT OF THE CENTER; AND AUTHORIZATION FOR THE APPOINTMENT OF A SEARCH COMMITTEE TO MAKE RECOMMENDATIONS REGARDING THE SELECTION OF A PRESIDENT-ELECT OF M. D. ANDERSON HOSPITAL AND TUMOR INSTITUTE.—Upon recommendation of Chancellor LeMaistre, Vice-Chancellor Knisely, and President Clark, the Board of Regents authorized and approved the following:

1. There is authorized and created, effective immediately, as an institution in The University of Texas System, "The University of Texas Cancer Center" with its headquarters in Houston. It is the mission and goal of the Cancer Center to provide clinical research, training, and demonstration of advanced diagnostic and treatment methods relating to cancer. It is also the mission and goal of the Cancer Center, acting either singly or in concert with one or more Federal, State or private agencies, to establish and conduct programs for the diagnosis, prevention, and treatment of cancer.

2. The Cancer Center consists of The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston, The University Cancer Foundation, The University of Texas Environmental Science Park at Bastrop, and such other institutions and activities of The University of Texas System as may from time to time be added by the Board of Regents. With the approval of the Board of Regents, the Cancer Center is authorized to enter into affiliation and cooperative agreements with other institutions and activities, both within and without The University of Texas System, in order to carry out the Cancer Center's missions and goals set forth above.

3. The approved plan of organization for the Cancer Center is depicted on the attached chart. (Page 85)

4. Dr. R. Lee Clark is appointed President of The University of Texas Cancer Center effective July 1, 1972. The President-Elect of M. D. Anderson is ex-officio the Vice-President of the Cancer Center. Dr. Clark will continue as President of M. D. Anderson.

5. There is authorized the appointment of a search committee to make recommendations regarding the selection of a President-Elect of M. D. Anderson. The President-Elect will have such duties and responsibilities as may from time to time be delegated to him by the President of M. D. Anderson.
In the presentation of the following amendment to the Regents' Rules and Regulations, Chairman Peace stated that the present rules, adopted by the Board of Regents on March 16, 1972, prohibit solicitation in any building or structure on the campus of any component institution of The University of Texas System and that the past President of the U. T. Austin Students' Association, Mr. Bob Binder, had raised a question about the collection of membership dues and fees of registered student organizations and about the sale of tickets in the buildings to movies or other programs sponsored by the component institutions. To correct that situation, the following amendment was adopted.

Subsection 6.12 of Section 6 of Chapter VI of Part One of the Regents' Rules and Regulations was amended by adding to the list of activities (7) and (8) as set out below. The necessary rules were waived and this amendment was declared to be effective immediately:

6.12 No solicitation shall be conducted in any building or structure on the campus of any component institution of The University of Texas System, provided, however, that the following activities shall be deemed not to be solicitations prohibited by this subsection:

(7) The collection of membership fees or dues by registered student organizations at meetings of such organizations scheduled in accordance with the facilities use regulations of any component institution.

(8) The collection of admission fees for the exhibition of movies or other programs that are sponsored by the component institution, a recognized faculty group, or a registered student organization, and are scheduled in accordance with the facilities use regulations of the component institution.
Prior to consideration of the amendment to Section 7, Chapter I of the Regents' Rules and Regulations, Part One, Chairman Peace explained that the purpose of the amendment to Subsection 7.1 is to substitute the System Administration Committee for the Executive Committee and to enumerate its functions and that the amendment to Subsection 7.2 defines the qualifications of the membership of the Board for Lease of University Lands as provided in the statute.

The necessary rules were then waived and effective immediately Chapter I of Part One of the Regents' Rules and Regulations was amended by:

1. Deleting Subsection 7.1 and Subdivisions 7.11, 7.12, 7.13, 7.14, 7.15 and 7.16 of Section 7 and inserting in lieu thereof the following:

7.1 Standing Committees. --The following committees shall be appointed to consider policies for the government of all major areas: (a) Committee of the Whole; (b) System Administration Committee; (c) Academic and Developmental Affairs Committee; (d) Medical Affairs Committee; (e) Buildings and Grounds Committee; (f) Land and Investment Committee.

7.11 Appointment and Term of Standing Committees and Authority of Chairman Thereof. --All members of the Board shall be members of each of the standing committees. The Chairman of each standing committee (other than the Committee of the Whole) shall be appointed by the Chairman of the Board of Regents shortly after his election, by and with the consent of the Board, and shall remain as Chairman of the standing committee (unless a vacancy shall be caused by death, resignation, or refusal of some member of a committee to act) until the succeeding Board Chairman shall have reconstituted the committees. The Chairman of any of the six standing committees may appoint subcommittees on either a standing or ad hoc basis to give special consideration to special problems.

7.12 Method of Filling Vacancies in the Chairmanship of Standing Committees. --In case a vacancy shall occur in the chairmanship of any of the standing committees, the Chairman of the Board shall appoint another member of the Board to serve as Chairman of the standing committee by and with the consent of the Board, and, if confirmed, the appointment shall stand until the time for appointment of Chairmen of the standing committees as provided in Subdivision 7.11.

7.13 Time of Meeting of Committees of Board. --The committees of the Board customarily shall meet on the first day of any scheduled Board meeting and at such other times as the majority of the members of each committee shall determine.
7.14 Authority of Standing Committees. -- The authority of standing committees of the Board shall be subject to action of the whole Board and, except in cases where it is necessary for the System Administration Committee to act for the Board during the interim periods between Board meetings, the committees' actions shall be referred to the Board before they shall become effective.

7.15 Committee of the Whole. -- The Chairman of the Board shall serve as Chairman of the Committee of the Whole. The Committee of the Whole shall receive and consider items referred to it by the Chairman of the Board and by other committees of the Board. The Committee of the Whole may hold in closed session (1) deliberations to consider the appointment, employment or dismissal of a public officer or employee or to hear complaints of charges brought against such officer or employee, unless such officer or employee requests a public hearing; (2) deliberations pertaining to the acquisition of additional real property; (3) deliberations on matters affecting security; and (4) consultations with the Board's attorney or attorneys. Except for meetings of the Committee of the Whole, meetings of all committees shall be open to the press and public unless otherwise determined by the Board in accordance with law.

7.16 Composition and Duties of the System Administration Committee. -- The System Administration Committee shall have authority to act for the Board of Regents on all matters that require action between meetings of the Board, but at each meeting of the Board, the System Administration Committee shall report in writing (for ratification) all actions taken by it since the last meeting of the Board. The System Administration Committee shall in addition thereto:

7.161 Consider and make recommendations on all budgetary matters relating to System Administration, including the budgets for all properties occupied by System Administration personnel.

7.162 Consider and make recommendations on all matters relating to the administrative organization of the System and its component parts.

7.163 Consider and make recommendations with respect to the role, operation, and budget of any special function or offices controlled by System Administration.

2. Deleting Subdivision 7.1(11) and adding a new Subsection 7.2 to read as follows:

7.2 Board for Lease of University Lands. -- Two members of the Board of Regents shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve on the Board for Lease of University Lands. Neither of such appointees shall be employed either directly or indirectly by any oil or gas company nor shall be an officer or attorney for any oil or gas company.
3. Renumbering the present Subsection 7.2 to read Subsection 7.3:

7.3 Special Committees. -- The Chairman of the Board shall appoint such special committees of the Board as the Board may authorize.
REGENTS' RULES AND REGULATIONS, PART ONE: AMENDMENT TO CHAPTER I (STANDING COMMITTEE STRUCTURE). --The amendment to the Regents' Rules and Regulations, Part One, Chapter I, was deferred until the meeting on April 29, 1972.

REGENTS' RULES AND REGULATIONS, PART ONE: AMENDMENT TO CHAPTER II, SUBDIVISION 4.21(8). --Chancellor LeMaistre made the following statement in recommending that there be an amendment to Chapter II of the Regents' Rules and Regulations, Part One, Subdivision 4.21(8):

"This change will clarify the Chief Administrative Officer's authority to appoint all student and non-institutional members of appropriate committees as well as faculty and staff members. This clarifying amendment has been recommended by the presidents of the general academic institutions."

The necessary rules were waived and Subdivision 4.21(8) of Subdivision 4.21, Subsection 4.2, Section 4 of Chapter II of the Regents' Rules and Regulations, Part One, was deleted. The proposed recommendation therefor was amended and the following was substituted in lieu of Subdivision 4.21(8) to be effective immediately:

4.21(8) Appoint all faculty, staff and student committees.
The necessary rules were waived and Subsection 3.3 of Chapter VI of Part One of the Regents' Rules and Regulations was deleted and the following subsections (3.3a, 3.3b, 3.3c and 3.3d) were substituted in lieu thereof to be effective immediately:

3.3a Gambling, immoral conduct, dishonesty, or the excessive use of intoxicating liquors renders the student subject to discipline.

3.3b The dramatic increase in the illegal use, possession, and sale of drugs and narcotics by students enrolled in the several component institutions of The University of Texas System makes it imperative that insofar as possible such illegal users, possessors, and sellers of drugs and narcotics be identified and temporarily separated from the several student bodies so that the potential danger of their influencing other students to illegally use, possess, or sell drugs and narcotics will be minimized. Accordingly, with respect to any person who is placed on probation for or is finally convicted of the illegal use, possession, and/or sale of a drug or narcotic, if he is a student at a component institution of The University of Texas System at the time such probation is assessed or such conviction becomes final, he shall be automatically suspended from such institution and shall be ineligible to continue as or become a student at any component institution of The University of Texas System for a period of twenty-four consecutive months immediately following the date on which such probation is assessed or such conviction becomes final, and if he is not a student at a component institution of The University of Texas System at the time such probation is assessed or such conviction becomes final, he shall be ineligible to become a student at any component institution of The University of Texas System for a period of twenty-four consecutive months immediately following the date on which such probation is assessed or such conviction becomes final. The provisions of this paragraph shall apply regardless of whether the offense in question occurred on or off the campus of a component institution of The University of Texas System and regardless of whether the offense in question occurred while the offender was a student enrolled at a component institution of The University of Texas System; provided, however, that in order that the provisions of this paragraph will not have retroactive effect and in order that all persons may have fair notice thereof, the provisions of this paragraph shall not apply to any of the offenses described hereinafore which occur or occurred prior to March 1, 1972.

3.3c With respect to the illegal use, possession, or sale of a drug or narcotic by a student enrolled in any component institution of The University of Texas System when such offense occurred after March 14, 1969, and prior to March 1, 1972, the following shall apply:

"Any student placed on probation for or finally convicted of illegal use, possession, or sale of a drug or narcotic shall be automatically expelled from school, regardless
of whether or not the illegal act that gave rise to the conviction was committed on the campus of one of the component institutions of The University of Texas System."

provided, however, that any person who, prior to March 1, 1972, commits or has committed an offense that would otherwise be governed by the provisions of this Subsection 3.3c, may elect in writing to have such offense governed by the provisions of the foregoing Subsection 3.3b and thereby reduce the penalty applicable to the offense from permanent expulsion to suspension for a period of twenty-four consecutive months immediately following the date on which his probation is assessed or his conviction becomes final; and, provided further that any person who has heretofore been permanently expelled from one of the component institutions of The University of Texas System on account of the illegal use, possession and/or sale of a drug or narcotic may elect in writing to have such penalty reduced from permanent expulsion to suspension for a period of twenty-four consecutive months immediately following the date on which his probation was assessed or his conviction became final.

3.3d For the purpose of the foregoing Subsection 3.3b and 3.3c, (1) the word 'drug' means 'dangerous drug' as defined in Section 2, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended (Article 726d, Vernon's Texas Penal Code); and (2) the word 'narcotic' means 'narcotic drugs' as defined in Section 1, Chapter 169, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 725b, Vernon's Texas Penal Code).

2. The necessary rules were waived and Subsection 3. (19) of Chapter VI of Part One of the Regents' Rules and Regulations was amended by deleting the subsection to be effective immediately and 3. (20) was appropriately renumbered 3. (19).

3. The necessary rules were waived and Section 6 of Chapter VI of Part One of the Regents' Rules and Regulations was amended by striking Subsection 6.1 and its subdivisions and inserting in lieu thereof the following to be effective immediately:

6.1 The institutional head or his delegate has the responsibility of establishing regulations and procedures for the use of institutional buildings, grounds, and other facilities for purposes other than regular academic use. Such regulations and procedures shall be in accordance with the following:

6.11 As used in this section, the word "solicitation" means the sale or offer for sale of any property or service, whether for immediate or future delivery, and the receipt of or request for any gift or contribution.

6.12 No solicitation shall be conducted in any building or structure on the campus of any component institution of The University of Texas System, provided, however, that the following activities shall be deemed not to be solicitations prohibited by this subsection:

(1) The sale or offer for sale of any newspaper, magazine, or other publications by means of a vending machine in an area designated in advance by the institutional head or his delegate for the conduct of such activity.

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(2) The sale or offer for sale of any food or drink item by means of a vending machine in an area designated in advance by the institutional head or his delegate for the conduct of such activity.

(3) The sale or offer for sale of any publication of the institution or of any book or other printed material to be used in the regular academic work of the institution.

(4) The operation by the institution or its subcontractor of any bookstore, specialty store, laundry mat, cafeteria, or other service facility maintained for the convenience of the students and/or faculty.

(5) The sale or offer for sale by the institution or its subcontractor of food and drink items and programs at athletic contests.

(6) The collection of tuition and fees in connection with enrollment of a student in any course or degree program.

6.13 No solicitation shall be conducted on the grounds, sidewalks, or streets on the campus of any component institution of The University of Texas System, except by the agents, servants, or employees of that institution acting in the course and scope of their agency or employment, or by the Students' Association of that institution, or by a registered student organization at that institution.

(1) Solicitation made pursuant to the terms of Subsection 6.13 must be conducted in such a way (a) that it will not disturb or interfere with the regular academic or institutional programs being carried on in campus buildings, (b) that it will not interfere with the free and unimpeded flow of pedestrian and vehicular traffic on sidewalks and streets and at places of ingress and egress to and from campus buildings, and (c) that it will not harass, embarrass, or intimidate the person or persons being solicited. If, after such reasonable investigation as the institutional head shall deem appropriate (which investigation shall afford the accused organization every right guaranteed by the due process clauses of the United States and Texas Constitutions) the institutional head determines that a solicitation is being conducted in a manner violative of this subsection, the institutional head shall prohibit the offending organization from solicitation on the campus for such period or periods of time as he shall determine to be appropriate and in the case of repeated violations of these solicitation rules, the institutional head may cancel the registered status of the offending organization.

(2) The Students' Association and each registered student organization shall, within 30 days following the end of each academic semester or summer session, file with the institutional head or his delegate a sworn statement fully and fairly disclosing the sources and amounts of money which it obtained from solicitations (sales and contributions) on the campus during the preceding semester or summer session and fully and fairly disclosing the beneficiaries and amounts of the expenditures which it made during the preceding semester or summer session. A registered student organization which during a semester or summer session receives no money or thing of
value other than from its own members need file only a sworn statement to that effect. Any organization failing to comply with the provisions of this paragraph shall be prohibited from solicitation on the campus until such organization places itself in compliance.

The remaining subdivisions of Subsection 6.1 (Subdivision 6.13 through Subdivision 6.17) were renumbered 6.14 through 6.18.

4. The necessary rules were waived and Subdivision 6.14 (numbered 6.13 until the adoption of the foregoing amendment) was deleted and the following inserted in lieu thereof to be effective immediately:

6.14 Use of Physical Facilities of The University by Registered Student Organizations. --Registered student organizations may use an institution's buildings and/or grounds in compliance with reasonable and nondiscriminatory institutional regulations that shall specify the procedures under which such organizations may reserve the institution's buildings and/or grounds for their use. Groups of students who are not registered may not use the institution's buildings and/or grounds. Registered student organizations may not enter into joint sponsorship of any on-campus project or program with individuals, groups, or students that are not registered.
REPORT OF SUBCOMMITTEE OF THE SYSTEM ADMINISTRATION COMMITTEE (CREATED AS THE SYSTEM OPERATIONS AND PROCEDURES COMMITTEE) AND AMENDMENT TO REGENTS' RULES AND REGULATIONS, PART ONE, TO CONFORM THERETO. --A report was received from Vice-Chairman Ikard, Chairman of a subcommittee of the new standing committee called System Operations and Procedures, to draft a proposed rule concerning the role, scope and operation of the new committee and to report its recommendations to the Board of Regents for final approval. The recommendations that were proposed and adopted are:

1. That the Executive Committee be abolished and its duties be assigned to the new committee, that the name of the new committee be shortened to "System Administration Committee," and that all members of the Board be members of each of the standing committees.

2. That the following special committees be abolished and the duties of each be assigned to the System Administration Committee:
   a. Special Committee on Administrative Organization
   b. Special Committee to Review Budgets for System Administration, Bauer House, and University Houses at 1610 Watchhill Road, 2101 Meadowbrook, and 6604 Mesa
   c. Special Committee to Study Future Role of the Washington Office

3. That the chairman of any of the five standing committees be authorized, as he deems appropriate and necessary, to appoint subcommittees on either a standing or ad hoc basis to give special consideration to special problems.

It was further ordered that the Regents' Rules and Regulations, Part One, Chapter I, be conformed to the foregoing recommendations and be submitted at the March meeting for ratification.
Acting Chairman Erwin presented the following report of the Committee of the Whole which was unanimously adopted upon motion of Regents Williams, duly seconded:

DEC 3 1971

REGENTS' RULES AND REGULATIONS, PART ONE: AMENDMENTS TO CHAPTER II (SELECTION COMMITTEES FOR NEW APPOINTMENTS). --The following narrative statement was presented by Chancellor LeMaistre recommending the amendment of the Regents' Rules and Regulations, Part One, Chapter II, Subsection 4.1 of Section 4 and Subsection 5.3 of Section 5 (Selection Committees for New Appointments):

In general these two amendments will preserve the traditional consultative and advisory role of faculty and students in the selection of institutional administrative officers with whom they must regularly interrelate and communicate, while strengthening the selection process by addition of a level heretofore rarely considered formally. This additional evaluation is achieved by expanding the involvement of management and administrative considerations representing the other constituencies which the potential nominee must serve, e.g., the Board of Regents and the System Administration. This broader base for the selection process should, appropriately, provide a better review of the candidate's opportunity for success, and also allow the candidate a more complete exposure to the several constituencies whose confidence he must maintain.

The first amendment would establish a uniform System-wide procedure for establishing selection committees for the appointment of new Chief Administrative Officers in all the component institutions. Faculty and student participation is once again defined as only advisory in this selection process. This change in procedure reaffirms the primary responsibility of the Board of Regents and the U. T. System Administration for selection of a Chief Administrative Officer who can direct all of the complex matters related to an institution of higher education. The change further emphasizes the role of the Chief Administrative Officer as a member of the System Administration to whom is delegated full authority and responsibility for the management of a component institution.

The second amendment reinforces the concept that the Board of Regents, the U. T. System Administration, and the public expects the Chief Administrative Officer of an institution of higher education to execute effectively the responsibilities of his office. He is to be held responsible for executing the duties of his office and he is given therefore the authority to appoint the key administrative officers upon whom he will depend to carry out his policies and directives. Without control over such appointments, he would be held responsible for the institution with only limited authority.

Upon the adoption of these amendments, the provisions in any institutional Handbook of Operating Procedures in conflict with them must be amended to conform to the new sections in the Rules and Regulations.
Thereafter, the necessary rules were waived and the Regents' Rules and Regulations, Part One, Chapter II, were amended as follows to be effective immediately:

a. Delete Subsection 4.1 of Section 4 of Chapter II and substitute in lieu thereof the following:

4.1 The Chancellor shall appoint the Chief Administrative Officers of the component institutions with the approval of the Board of Regents. The Chancellor shall be assisted in making his appointment by a Selection Committee made up of the Chancellor, who serves as chairman, the Deputy Chancellor for Administration, the Vice-Chancellors for Academic Affairs and Health Affairs and two Regents and three institutional heads from the U. T. System appointed by the Chairman of the Board of Regents and such other persons as the Chairman of the Board of Regents may deem appropriate. The availability of candidates and their interest in the position will be determined by this Selection Committee.

The Chancellor will ordinarily authorize the establishment of an institutional advisory committee consisting of faculty and students at the institution to consult with the Selection Committee. This faculty-student committee may, in accordance with a schedule set by the Chancellor, suggest persons who should be considered by the Selection Committee and individual members of that Committee. The Selection Committee shall be free to seek such additional consultation with the faculty and students as it deems appropriate.

The Chief Administrative Officer of each of the component institutions serves under and reports to the Chancellor, is responsible to the Chancellor, and has access to the Board of Regents only through the Chancellor.

b. Delete Subsection 5.3 of Section 5 of Chapter II and substitute in lieu thereof the following:

5.3 The Board of Regents endorses the principle of reasonable faculty and student consultation in the selection of administrative officers of the component institutions, and expects the Chancellor or Chief Administrative Officer, as he deems appropriate, to consult in the selection process with representatives of the faculty and student body. However, the Chief Administrative Officer of the institution will be held responsible for executing the duties of his office and consequently shall not be bound by nominations to key administrative positions in his office by campus selection committees in making his nominations to the Chancellor. Such advice and consultation as he may seek or be given shall not be binding upon his nominations for appointments to positions in the echelon immediately below his own position.
The amendment to Section 1.81 is required to make clear that the decision to promote or terminate the employment of an instructor may be made before the end of the sixth year. The amendments to Section 6.2 change the name of the "Institutional Supplement" to comply with earlier changes in the Rules and Regulations and provide a cross-reference to Section 1.8 on Academic Titles.

The necessary rules were waived and effective immediately, Subdivision 1.81 and Subsection 6.2 were deleted and the following substituted in lieu thereof:

1.81 The only titles to be used henceforth in which faculty members may acquire tenure are as follows:
(a) Professor
(b) Associate Professor
(c) Assistant Professor

Any person holding a full-time position of Instructor shall be notified not later than the end of the sixth year that the subsequent year is his terminal year of appointment or that not later than the end of the subsequent year he will be promoted to Assistant Professor with tenure.

An institution may provide in its Handbook of Operating Procedures that tenure will not be granted at the Assistant Professor rank by setting forth a procedure similar to that in the preceding paragraph.

6.2 Subject to the provisions of Article 2586, Vernon's Texas Civil Statutes, and subject to the terms and provisions of these Regents' Rules and Regulations, the principles governing tenure and promotion are specified for each component institution in the Handbook of Operating Procedures applicable to that institution. See also Section 1.8 above on Academic Titles.

Sec. 5. Regional Advisory Group - Regional Medical Program of Texas. -- As long as The University of Texas System is the grantee institution for the Regional Medical Program of Texas under Public Laws 89-239 and 91-515, the names of all persons nominated for appointment or reappointment to the Regional Advisory Group of the Regional Medical Program of Texas shall be submitted to the Board of Regents for approval prior to their official appointment by the Chancellor.