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OF  
BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM

Date: **Wednesday, February 12, 2003**  
Time: **1:00 p.m.**  
Place: **Board Meeting Room, Ninth Floor, Ashbel Smith Hall, 201 West Seventh Street, U. T. System Administration, Austin, Texas**

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Date: **Thursday, February 13, 2003**

Time: **8:30 a.m.**

Place: **Board Meeting Room, Ninth Floor, Ashbel Smith Hall, 201 West Seventh Street, U. T. System Administration, Austin, Texas**

**OPEN SESSION**

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BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM

CALENDAR

Date: **Wednesday, February 12, 2003**

Time: **1:00 p.m.**

Place: Board Meeting Room, Ninth Floor, Ashbel Smith Hall,  
201 West Seventh Street, U. T. System Administration,  
Austin, Texas

Purpose: Convene in Open Session for Annual Meeting With  
Officers of the U. T. System Employee Advisory Council

See Page 1, Items A - B

Time: **2:30 p.m. approximately**

Place: Board Meeting Room, Ninth Floor, Ashbel Smith Hall

Purpose: Recess to Executive Session

See Page 11, Item C

Time: **4:30 p.m. approximately**

Place: Board Meeting Room, Ninth Floor, Ashbel Smith Hall

Purpose: Reconvene in Open Session to Consider Action on  
Executive Session Items, and Recess

See Page 11, Items D - E

Date: **Thursday, February 13, 2003**

Time: **8:30 a.m.**

Place: Board Meeting Room, Ninth Floor, Ashbel Smith Hall,  
201 West Seventh Street, U. T. System Administration,  
Austin, Texas

Purpose: Reconvene in Open Session to Continue Until  
Completion of Business

See Pages 12 - 112, Items F - L

Telephone Numbers

Office of the Board of Regents

(512) 499-4402

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(512) 478-4500

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

Date:       **Wednesday, February 12, 2003**

Time:       1:00 p.m.

Place:       Board Meeting Room, Ninth Floor, Ashbel Smith Hall, 201 West Seventh Street, U. T. System Administration, Austin, Texas

- A.    CALL TO ORDER
  
- B.    ANNUAL MEETING WITH OFFICERS OF THE U. T. SYSTEM EMPLOYEE ADVISORY COUNCIL
  
- 1.    **U. T. System: Annual Meeting with the Employee Advisory Council**

The University of Texas System Employee Advisory Council will meet with the Board to discuss accomplishments of the Council and plans for the future, according to the following agenda:

AGENDA

- 1.    Employee Advisory Council Chairman's Report
  - a.    Accomplishments
  - b.    Goals
  
- 2.    Historian's Report
  
- 3.    Best Practices Program
  
- 4.    Employee Education Assistance
  
- 5.    Discussion



## BACKGROUND INFORMATION

The mission of the Employee Advisory Council (EAC) is to provide a forum for communicating ideas and information between employees, the Executive Officers of U. T. System, and the Board of Regents. Election of new officers was held in July 2002. The EAC has refocused the standing committees in order to work on two main issues. The development of a Compensation Best Practices Program is a collaboration of ideas shared by all components highlighting best practices in the area of compensation. Employee Education Assistance has been a priority issue for employees at all components. The EAC has researched applicable policies and legislation that affect component institutions' participation in such programs.

Participants scheduled to attend:

**Chair:** Mr. Walter Tenery, Electrician Supervisor, U. T. Arlington

**Vice Chair:** Ms. Shirley Zwinggi, Administrative Manager, U. T. Southwestern Medical Center - Dallas

**Historian:** Ms. Sherill Boline, Administrative Coordinator, U. T. System Administration

**Benefits Committee Chair:** Ms. Terri Reynolds, Administrative Services Officer, U. T. San Antonio

**Policy Committee Chair:** Mr. Robert Vasquez, Director of Financial Aid, U. T. Permian Basin

**Communications Committee Chair:** Mr. John Poindexter, Assistant Director, Multimedia Imaging Office of Communications, U. T. San Antonio



















C. RECESS TO EXECUTIVE SESSION (TEXAS GOVERNMENT CODE, CHAPTER 551)

1. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074

a. **U. T. El Paso: Consideration of Recommendation of Hearing Tribunal Regarding Termination of Tenured Faculty Member**

b. **U. T. System: Consideration of Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment and Duties of Officers or Employees**

c. **U. T. System: Consideration of Personnel Matters Relating to Evaluation of Presidents and U. T. System Executive Officers**

2. Negotiated Contracts regarding Purchase, Lease, Exchange, or Value of Real Property – Section 551.072

**U. T. Pan American: Request for Authorization to Purchase Approximately 30 Acres of Land with Improvements Out of Lot 6, Section 270, Texas-Mexican Railway Survey, City of Edinburg, Hidalgo County, Texas; Authorization to Take All Necessary Actions Needed to Acquire the Above Property; Authorization to Submit the Purchase to the Texas Higher Education Coordinating Board for Approval; and Authorization to Execute All Documents Related Thereto**

3. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071

**U. T. Board of Regents: Consideration of Legal Matters Relating to Contractual Relationship with The University of Texas Investment Management Company (UTIMCO)**

D. RECONVENE IN OPEN SESSION TO CONSIDER ACTION ON EXECUTIVE SESSION ITEM(S), (ITEM C)

E. RECESS

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

Date:       **Thursday, February 13, 2003**

Time:       8:30 a.m.

Place:       Board Meeting Room, Ninth Floor, Ashbel Smith Hall, 201 West Seventh Street, U. T. System Administration, Austin, Texas

F.    RECONVENE IN OPEN SESSION

G.    APPROVAL OF MINUTES OF REGULAR MEETING HELD NOVEMBER 12-13, 2002, AND SPECIAL MEETINGS HELD DECEMBER 13 AND 20, 2002

H.    SPECIAL ITEMS

1.    **U. T. System: Discussion of Texas Compact (Proposed Tuition Assistance Plan)**

Chancellor Yudof will begin a discussion on the January 23, 2003, draft Texas Compact, a Proposed Tuition Assistance Plan, as set out on Pages 13 - 19.

















2. **U. T. System: Discussion of Legislative Issues, Including Budget Matters, and Consider Action on Legislative Issues, If Needed**

Chairman Miller will begin a discussion of legislative issues, including spending cuts.

3. **U. T. Board of Regents: Discussion and Possible Approval of a Revised Board Meeting Schedule**

Chairman Miller will begin a discussion of a possible revised Board meeting schedule.

4. **U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part One, Chapter II to Add New Sections 10 (Vice Chancellor for Educational System Alignment) and 15 (Vice Chancellor for Research and Technology Transfer) and to Amend Section 12 Related to the Vice Chancellor for Governmental Relations**

**RECOMMENDATION**

The Chancellor, with the concurrence of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, the Acting Executive Vice Chancellor for Health Affairs, and the Vice Chancellor and General Counsel, recommends that the Regents' Rules and Regulations, Part One, Chapter II be amended as set forth below in congressional style:

- a. Add new Section 10, related to the Vice Chancellor for Educational System Alignment, as follows:

Sec. 10. **Vice Chancellor for Educational System Alignment**

The Vice Chancellor for Educational System Alignment reports to and is responsible to the Executive Vice Chancellor for Academic Affairs. The Vice Chancellor for Educational System Alignment provides staff responsibility to the Executive Vice Chancellor for Academic Affairs for the coordination of effective representation of the U. T. System with the public education system of Texas. The Vice Chancellor for Educational System Alignment shall have direct access, as needed, to consult with the Chancellor on issues related to public education.

10.1 Appointment and Termination

The Vice Chancellor for Educational System Alignment shall be appointed by the Chancellor. The Vice Chancellor for Educational System Alignment shall hold office without fixed term, subject to the pleasure of the Executive Vice Chancellor for Academic Affairs and the Chancellor.

10.2 Duties and Responsibilities

The primary responsibilities of the Vice Chancellor for Educational System Alignment include:

- 10.21 Providing assistance to the Executive Vice Chancellor for Academic Affairs, the Chancellor, and other U. T. System officials in the execution of their responsibilities.
- 10.22 Representing the Board of Regents and other officials of The University of Texas System in its relations with all organizations and agencies involved with public education.
- 10.23 Making recommendations to the Executive Vice Chancellor for Academic Affairs and the Chancellor in the area of public policy as it affects the relationship of the public education system.
- 10.24 Informing appropriate administrative officers of current operations and long-range developments in public education that may affect the System.
- 10.25 Maintaining and distributing information to and advising appropriate System Administration and component institution officials in order to assure proper action by the System with respect to public education programs and activities.
- 10.26 Interacting with educational officials at all levels regarding the mission, needs, and issues of the U. T. System.
- 10.27 Directing the administration of the U. T. System Office of Educational System Alignment and defining the job responsibilities, the assignment of duties, and supervising staff members employed in or assigned to work in the Educational System Alignment area.
- 10.28 Supervising and directing the operations of the UT TeleCampus, including coordination of all activities related to a virtual campus and assessment of distance education effectiveness in the U. T. System.
- 10.29 Performing such other duties as may be assigned by the Executive Vice Chancellor for Academic Affairs and the Chancellor.

- b. Amend Section 12, related to the Vice Chancellor for Governmental Relations, as follows:

Sec. 12. Vice Chancellor for Governmental Relations and Policy

The Vice Chancellor for Governmental Relations and Policy reports to the Chancellor and is responsible for coordinating the effective representation of the System in the area of governmental affairs as set out in Subsection 12.2 of this Chapter. The Vice Chancellor for Governmental Relations and Policy has direct access to the Board of Regents of The University of Texas System and is expected to work directly with appropriate committees of the Board in discharging the duties of the office.

12.1 Appointment

The Vice Chancellor for Governmental Relations and Policy shall be appointed by the Chancellor and shall hold office without fixed term, subject to the pleasure of the Chancellor.

12.2 Duties and Responsibilities

The primary responsibilities of the Vice Chancellor for Governmental Relations and Policy include:

- 12.21 Providing assistance to the Chancellor and other U. T. System officials in the execution of their responsibilities.
- 12.22 Representing the Board of Regents of The University of Texas System in its relations with State of Texas and local legislative bodies and agencies.
- 12.23 Making recommendations to the Chancellor in the area of public policy as it affects the relationship of the System with State of Texas and local governments.
- 12.24 Informing appropriate administrative officers of current operations and long-range developments on the State level, which may affect the System.
- 12.25 Maintaining and distributing information and advising appropriate System Administration and component institution officials, in order to assure proper action by the System with respect to State of Texas and local governmental programs and activities.
- 12.26 Defining the job responsibilities, the assignment of duties, and supervising staff members employed in or assigned to work in the governmental affairs area.
- 12.27 Performing such other duties as may be assigned by the Chancellor.

- c. Add new Section 15, related to the Vice Chancellor for Research and Technology Transfer, as follows:

Sec. 15. Vice Chancellor for Research and Technology Transfer

The Vice Chancellor for Research and Technology Transfer reports to the Chancellor and is responsible for efforts to enhance and coordinate research and technology development and transfer matters related to The University of Texas System.

15.1 Appointment

The Vice Chancellor for Research and Technology Transfer shall be appointed by the Chancellor and shall hold office without fixed term, subject to the pleasure of the Chancellor.

15.2 Duties and Responsibilities

The primary responsibilities of the Vice Chancellor for Research and Technology Transfer include:

- 15.21 Developing and implementing strategies to expand and enhance research funding to U. T. System institutions.
- 15.22 Facilitating collaboration among U. T. System institutions to develop joint proposals to increase grants and contracts from external sources.
- 15.23 Assisting U. T. System institutions with compliance and accountability issues related to research and technology development and transfer.
- 15.24 Fostering effective relationships among the university community, governmental entities, foundations and institutes, and the private sector, to promote research and technology development activities.
- 15.25 Enhancing efforts to improve technology management and development activities.
- 15.26 Reviewing and assessing the performance of technology management and development activities.
- 15.27 Performing such other duties as may be assigned by the Chancellor.

- d. Renumber sections as appropriate to display Vice Chancellor titles in alphabetical order.

## BACKGROUND INFORMATION

Amendment of the Regents' Rules and Regulations, Part One, Chapter II, Section 12 will change the title of the Vice Chancellor for Governmental Relations to Vice Chancellor for Governmental Relations and Policy.

Proposed amendments to Sections 10 and 15 add language detailing the responsibilities of the new positions of Vice Chancellor for Educational System Alignment and Vice Chancellor for Research and Technology Transfer.

This item was reviewed by the Academic Affairs Committee in January 2003.

5. **U. T. Board of Regents: Designated Tuition/Proposed Amendments to the Regents' Rules and Regulations, Part One, Chapter I, Section 9 (Delegation to Act on Behalf of the Board) and Chapter VI, Section 9 (Assessment, Collection, and Waiver of Tuition and Fees)**

## RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, the Acting Executive Vice Chancellor for Health Affairs, and the Vice Chancellor and General Counsel that the Regents' Rules and Regulations, Part One be amended as set forth below in congressional style:

- a. Add new Subsection 9.7 to Chapter I, Section 9, regarding delegation to act on behalf of the Board, as follows and renumber current Subsection 9.7 as Subsection 9.8:

Sec. 9. Delegation to Act on Behalf of the Board

...

- 9.7 Delegation of Authority Related to Tuition and Fees Authority delegated by the Board in these Rules and Regulations includes actions related to tuition and fees as set forth in Part One, Chapter VI, Section 9.

- b. Add new Subsection 9.5 to Chapter VI, Section 9, regarding assessment, collection, and waiver of tuition and fees, as follows:

Sec. 9. Assessment, Collection, and Waiver of Tuition and Fees

...

9.5 Delegation of Authority to Conduct Public Hearings on Designated Tuition  
The Board delegates to the presidents of the U. T. System component institutions the responsibility to conduct public hearings as required by Texas Education Code Section 54.0513(f), prior to forwarding proposed increases in designated tuition to the Board of Regents.

### BACKGROUND INFORMATION

In June 1995, the U. T. Board of Regents delegated to the presidents of the U. T. System component institutions the authority to conduct public hearings as required by a 1995 statute concerning proposed increases in the building use fee (also known as the general use fee).

In 1997, the Texas Legislature enacted Texas Education Code Section 54.0513(f), which replaced the authority to collect a building use fee with the authority to collect designated tuition and required that the Board of Regents conduct public hearings prior to considering proposed increases in designated tuition. Consistent with the provisions of Texas Education Code Section 65.31, which requires a delegation of authority by the Board of Regents to be made by rule, it is recommended that the delegation of authority to hold public hearings related to increases in designated tuition be included in the Regents' Rules and Regulations.

The need for clarification of this authorization was recommended by the U. T. System Office of General Counsel in January 2003, following the January committee meetings.



## INFORMATIONAL REPORTS

### 1. U. T. System: Report of Summary of Gift Acceptance Conforming to Board Policy for September 1, 2002 Through November 30, 2002

#### REPORT

The Summary of Gift Acceptance for U. T. System for the period September 1, 2002, through November 30, 2002, is set forth below. The report includes 84 items conforming to Board policy including the acceptance of \$24,228,311 in gifts and other transfers of funds totaling \$2,797,578. The report includes only those funds that relate to endowments, estates, and other funds managed by the U. T. System Office of Development and External Relations.

<u># ALL</u> <u>ITEMS</u>	<u>COMPONENT INSTITUTION</u>	<u>TOTAL VALUE</u>
3	U. T. System Administration	\$ 111,800
3	U. T. Arlington	33,611
28	U. T. Austin	7,869,597 *
4	U. T. Brownsville	181,995
2	U. T. Dallas	1,100,000
3	U. T. El Paso	298,207
---	U. T. Pan American	---
2	U. T. Permian Basin	115,000
2	U. T. San Antonio	20,000
3	U. T. Tyler	25,000
5	U. T. Southwestern Medical Center - Dallas	4,523,510
3	U. T. Medical Branch - Galveston	233,822
12	U. T. Health Science Center - Houston	7,121,363 *
3	U. T. Health Science Center - San Antonio	48,684
10	U. T. M. D. Anderson Cancer Center	2,540,723
<u>1</u>	<u>U. T. Health Center - Tyler</u>	<u>5,000</u>
84	TOTAL	\$ 24,228,311

\* Not included in total:

U. T. Austin: \$1,097,577.99 transfers of endowment funds; and

U. T. Health Science Center - Houston: \$1,700,000 transfer of previously accepted funds.

2. **U. T. System: Presentation on Private Sector Support**

REPORT

Vice Chancellor for Development and External Relations Perry will present a report on Private Sector Support for the U. T. System for the 2001 – 2002 academic year.





























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

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

**Executive Committee:** Chairman Miller  
Vice-Chairman Clements, Vice-Chairman Hunt, Vice-Chairman Riter  
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**Finance and Planning Committee:** Chairman Hunt  
Regent Estrada, Regent Krier, Regent Oxford, Regent Riter  
Agenda Book Page 43

**Academic Affairs Committee:** Chairman Krier  
Regent Estrada, Regent Hunt, Regent Oxford  
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**Health Affairs Committee:** Chairman Oxford  
Regent Clements, Regent Craven, Regent Sanchez  
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**Facilities Planning and Construction Committee:** Chairman Clements  
Regent Craven, Regent Riter, Regent Sanchez  
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