



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

**February 6, 2014
Austin, Texas**

	Board Meeting	Page
CONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS	8:30 a.m.	
1. U. T. System Board of Regents: Approval of Consent Agenda items and referral of any items to the full Board or to Committee	8:32 a.m. Action	5
2. U. T. System Board of Regents: Update from Texas Higher Education Coordinating Board Commissioner Paredes and Chairman Hahn on higher education matters, including remarks on low-performing programs and capital projects	8:35 a.m. Report/Discussion <i>Commissioner Paredes Chairman Hahn</i>	6
3. U. T. System: Report on development performance for the U. T. System institutions	9:05 a.m. Report/Discussion <i>Dr. Safady</i>	7
4. U. T. System Board of Regents: Discussion and appropriate action regarding implementation of recommendations of the Advisory Task Force on Best Practices Regarding University-Affiliated Foundation Relationships, including a) renumbering Regents' Rules and Regulations, Rule 60304 (Internal Nonprofit Corporations) as Rule 60303, and revision and renumbering of Rule 60305 (External Nonprofit Corporations) as Rule 60304; b) adoption of new Rule 60305 (University-Affiliated Foundations); and c) approval of a model Memorandum of Understanding	9:30 a.m. Action	26
5. U. T. Permian Basin: Appointment of Dr. Charles A. Sorber as President Emeritus	9:40 a.m. Action	39
STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD	9:45 a.m.	
RECESS TO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, CHAPTER 551 (working lunch at noon)	10:00 a.m.	
1. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072		
U. T. Tyler: Discussion and appropriate action regarding authorization to purchase land and improvements at 3088 Old Omen Road, Tyler, Smith County, Texas, from Cambridge at Tyler Owner, LLC, for student housing, and resolution regarding parity debt	<i>President Mabry Mr. Tames</i>	
2. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071		
a. U. T. System Board of Regents: Discussion with Counsel on pending legal issues		

- b. **U. T. System Board of Regents: Discussion regarding legal issues related to matters considered by the Select Committee on Transparency in State Agency Operations of the Texas House of Representatives**
 - c. **U. T. System: Discussion related to legal issues concerning compliance with the Texas Public Information Act**
 - d. **U. T. Austin: Discussion regarding legal issues related to pending review of the relationship between the School of Law and the Law School Foundation**
 - e. **U. T. System Board of Regents: Discussion of legal issues concerning proposed amendment of Regents' *Rules and Regulations*, Rule 10101 (Authority) and Rule 10403 (to be retitled as Public Statements on Behalf of the Board); and adoption of proposed new Rule 10801 (Policy on Transparency, Accountability, and Access to Information)**
3. Negotiated Contracts for Prospective Gifts or Donations – Section 551.073 *Dr. Safady*
- a. **U. T. Austin: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features**
 - b. **U. T. Dallas: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features**
 - c. **U. T. Pan American: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features**
 - d. **U. T. Health Science Center - Houston: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features**
 - e. **U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding proposed negotiated gifts with potential naming features**
4. Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Duties, Discipline, or Dismissal of Officers or Employees – Section 551.074
- a. **U. T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions), U. T. System Administration officers (Executive Vice Chancellors and Vice Chancellors), other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive), and U. T. System and institutional employees**
 - b. **U. T. M. D. Anderson Cancer Center: Discussion and appropriate action regarding proposed terms of employment of Thomas A. Buchholtz, M.D., as Executive Vice President and Physician-in-Chief (Regents' *Rules and Regulations*, Rule 20204, regarding highly compensated employees)**

RECONVENE IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS AND TO CONSIDER AGENDA ITEMS	1:00 p.m. <i>approximately</i>	
6. U. T. System Board of Regents: Discussion and appropriate action regarding amendment of Regents' <i>Rules and Regulations</i>, Rule 10101 (Authority) and Rule 10403 (to be retitled as Public Statements on Behalf of the Board); and adoption of proposed new Rule 10801 (Policy on Transparency, Accountability, and Access to Information)	1:05 p.m. Action	40
7. U. T. System Board of Regents: Announcement by Chairman Foster of establishment of a new Task Force on Intellectual Property Issues	1:20 p.m. Report	48
ADJOURN	1:30 p.m. <i>approximately</i>	

1. **U. T. System Board of Regents: Approval of Consent Agenda items and referral of any items to the full Board or to Committee**

RECOMMENDATION

The Board will be asked to approve the Consent Agenda items located at the back of the book under the Consent Agenda tab.

2. **U. T. System Board of Regents: Update from Texas Higher Education Coordinating Board Commissioner Paredes and Chairman Hahn on higher education matters, including remarks on low-performing programs and capital projects**

REPORT

Texas Higher Education Coordinating Board Commissioner Paredes and Chairman Hahn will address the Board on higher education matters, including remarks on low-performing programs and capital projects.

3. **U. T. System: Report on development performance for the U. T. System institutions**

REPORT

Vice Chancellor Safady will report on development performance of U. T. System institutions for Fiscal Year 2013 and make recommendations for advancing philanthropic support, using the PowerPoint presentation set forth on the following pages.

BACKGROUND INFORMATION

In 2004, Dr. Safady initiated an annual review of campus development/fundraising operations and the preparation of a report to offer each institution a customized assessment and framework for performance measurement and continuous improvement. This service is designed to assist each institution to achieve its strategic philanthropic objective. The annual review is aligned with the U. T. System's goals of efficiency, transparency, and accountability.

U. T. System Development Assessment FY 2013

Dr. Randa Safady
Vice Chancellor for External Relations

U. T. System Board of Regents' Meeting
February 2014



THE UNIVERSITY of TEXAS SYSTEM
Nine Universities. Six Health Institutions. Unlimited Possibilities.

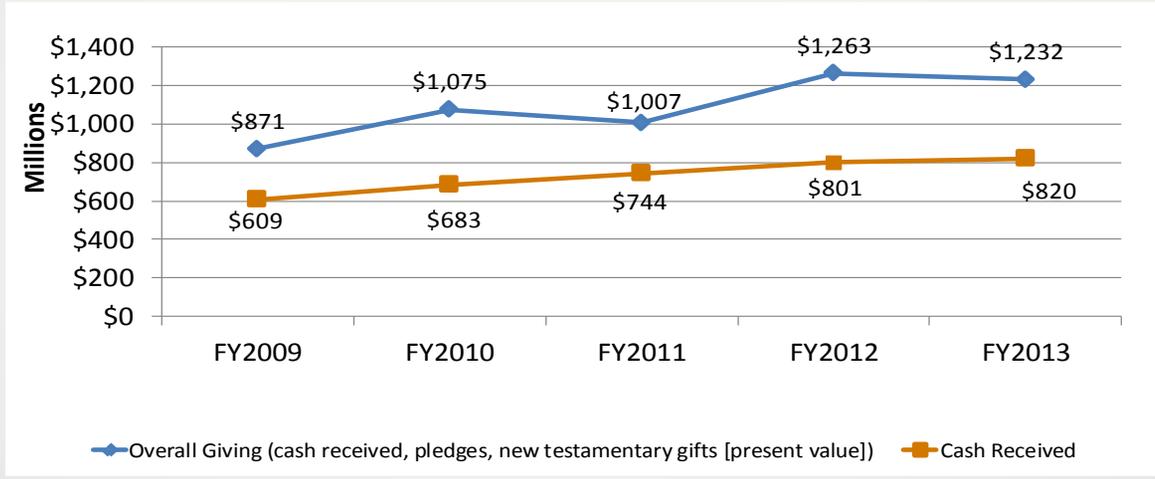
WWW.UTSYSTEM.EDU

National Fundraising Environment in FY 2013

- Atlas for Giving forecasted a 1.6% increase in philanthropy
- Chronicle of Philanthropy predicts it will be 2018 before charitable giving is back to prerecession (2007) levels
- Increasing competition for donors (especially younger donors) and fundraising personnel



U. T. System Fundraising Summary and Five-Year Trend

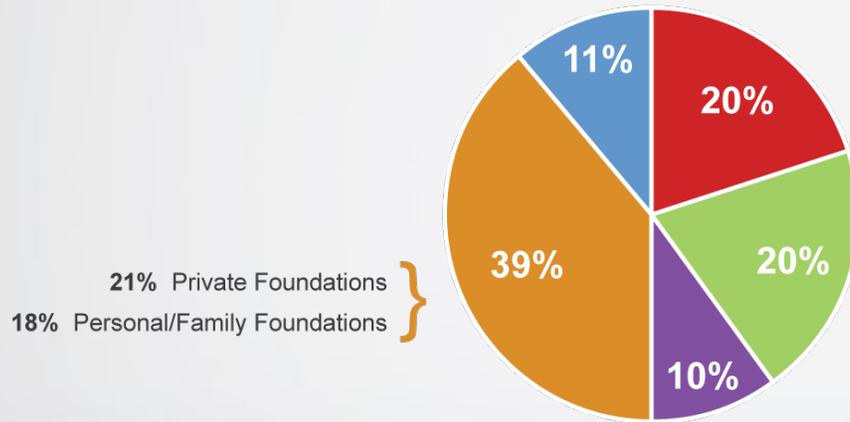


- FY 2013 was the highest year for cash received and second best year for overall giving
- Cash received increased 2.3% from FY 2012 while overall giving decreased 2.5%
- In the past two years more than \$2.4B has been committed to U. T. System institutions

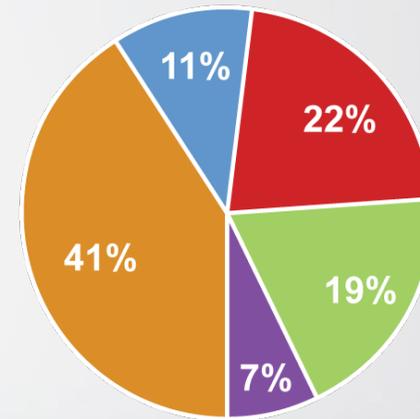


Sources of Giving

FY 2013

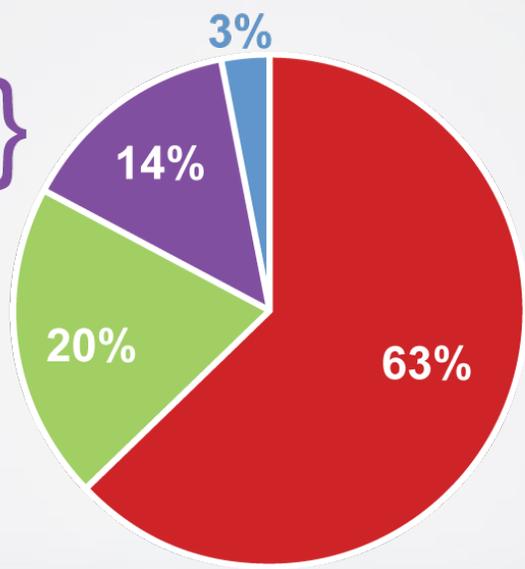


Average FY 2008-FY 2012



Purpose of Gifts

31% Research
 29% Academic Programs, Faculty/Staff
 28% Student Financial Aid



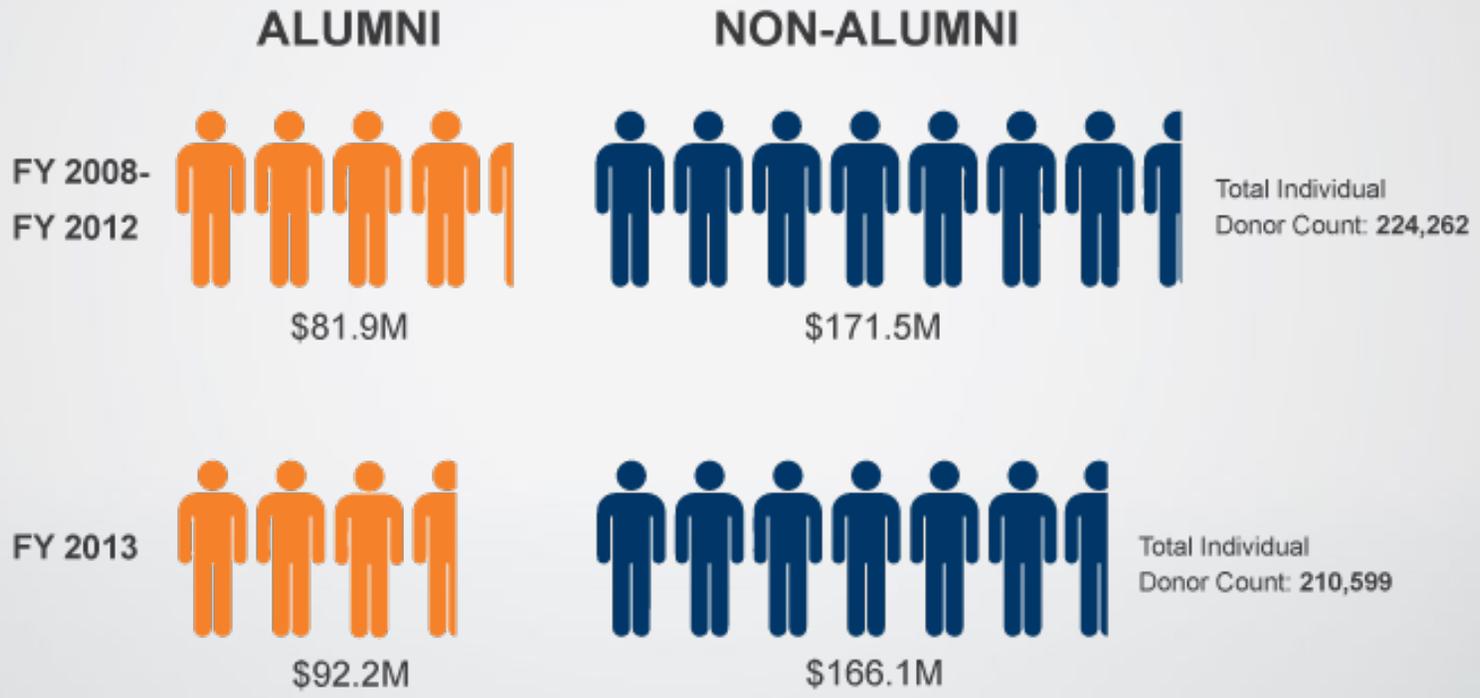
54% Research
 20% Academic Programs, Faculty/Staff
 10% Athletics
 4% Student Financial Aid

■ Current Operations Unrestricted
 ■ Current Operations Restricted
 ■ Property, Buildings, Equipment
 ■ Endowment

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Individual Donors



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Alumni Participation

	Average FY 2008–2012	FY 2013	Percentage of Change
Alumni Participation*	7.6%	6.4%	-16.0%
Alumni Giving Amount	\$81.9M	\$92.2M	12.5%

*Alumni Participation = alumni donors divided by alumni of record

- 1,116,682 alumni of record
- Cash received from alumni increased 4.5% from FY 2012
- Fewest alumni donors in the past six years
- More funds from fewer donors



Planned Giving FY 2013

“ I bequeath to
The University of Texas at ”

- **252 individuals shared their intentions which reflect gifts with a present value of \$96.0M**
- **U. T. System institutions received \$52.6M from 190 realized bequests**
 - Planned giving continues to grow in importance for donors and institutions
 - Donors are using blended gifts to support U. T. System institutions
 - Realized bequests represented 20.3% of gifts from individuals in FY 2013



Impact of Larger Gifts

	Average FY 2008–2012	FY 2013	Percentage of Change
Top 12* gifts as a percentage of cash received	20.6%	20.3%	-1.5%

* Top 12 = 3 largest gifts from individuals, foundations, corporations, and bequests

- 61 gifts of \$1M or more; up slightly from 59 gifts in FY 2012

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Academic Institutions FY 2013

Institutions	Overall Giving* (in millions)	Overall Giving as a % change from 5-year avg. FY 2008-2012	Cash Received (in millions)	Cash Received as a representative % of Educational & General (E&G) Expenditures
UTA	↑ \$40.0	161.3%	↑ \$16.8	3.4%
UTAUS	↑ \$475.5	47.4%	↑ \$291.0	13.5%
UTB	↑ \$2.7	13.0%	\$1.5	0.9%
UTD	↑ \$33.2	12.8%	↑ \$31.7	8.2%
UTEP	\$30.4	1.2%	↑ \$27.5	7.2%
UTPA	\$4.6	-19.2%	\$3.6	1.7%
UTPB	\$3.6	-47.4%	\$2.9	6.4%
UTSA	↑ \$21.3	-11.5%	↑ \$14.2	3.3%
UTT	↑ \$9.7	69.9%	\$2.6	2.6%

*Overall Giving = testamentary commitments (present value), pledges, and cash received ↑ = increase from FY 2012



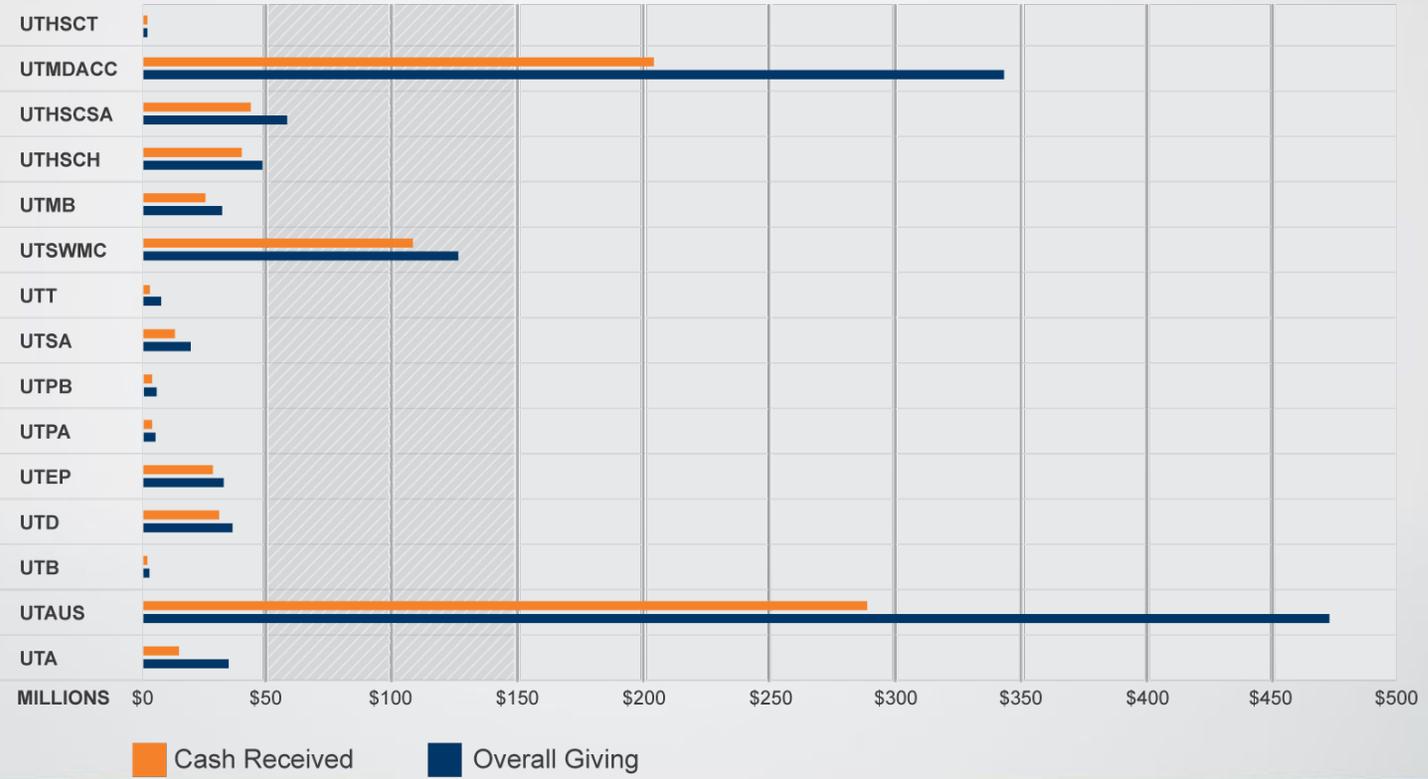
Health Institutions FY 2013

Institutions	Overall Giving* (in millions)	Overall Giving as a % change from 5-year avg. FY 2008-2012	Cash Received (in millions)	Cash Received as a representative % of Educational & General (E&G) Expenditures
UTSWMC	\$128.1	-26.1%	\$104.9	8.3%
UTMB	\$35.2	-58.7%	\$29.7	4.9%
UTHSCH	\$48.8	-13.3%	\$39.3	4.7%
UTHSCSA	↑ \$56.9	-8.8%	↑ \$37.6	5.1%
UTMDACC	↑ \$337.2	42.9%	↑ \$212.5	13.7%
UTHSCT	\$1.7	-60.3%	↑ \$1.5	4.9%

*Overall Giving = testamentary commitments (present value), pledges, and cash received ↑= increase from FY 2012



Fundraising Results FY2013



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Meeting of the U. T. System Board of Regents - Meeting of the Board



Fundraising Campaigns

Institution	Start date	End date
UTAUS	9/1/2006	8/31/2014
UTD	9/1/2009	12/31/2014
UTEP	1/1/2007	12/31/2014
UTSA	9/1/2008	8/31/2015
UTMB	9/1/2011	12/31/2017

- Combined campaign goals \$4.0B
- Amount raised toward campaign goals \$3.0B



Strength in Numbers

- Designed to increase fundraising capacity
 - Strength in Numbers I: \$5M FY 2008 – FY 2009
 - Strength in Numbers II: \$10M FY 2012 – FY 2014
 - FY 2012 and FY 2013 produced record-breaking years
 - 30 frontline officers were added along with 15 infrastructure personnel and support for 15 programs
 - Strength in Numbers II is in its final award year in FY 2014
- Strength in Numbers is the Board of Regents' investment to support continuous fundraising improvement and infrastructure among U. T. System institutions



Observations from FY 2013

- U. T. Austin and UTMDACC had exceptional fundraising years
 - Ranked respectively 8th and 16th nationally among all reporting public higher education institutions
- Individual donor count declined nationally among public universities and at U. T. System institutions
- Decrease in number of gifts and amount from appreciated assets
- Blended gifts (planned and outright gifts) impacted fundraising success
- Philanthropy among U. T. System institutions collectively represented 8.1% of Education & General (E&G) expenditures
- For every dollar invested in development, \$8.18 was returned
- Presidents and Board of Regents made investments in development



Going Forward

- Align philanthropy and communications with institutional priorities appropriately to engage donors
- Importance of recruiting and retaining exceptional development leadership and staff members
- Explore innovations that factor in better segmentation and adapt to changing donor preferences such as social media, crowdfunding, donor-centric websites, mobile-optimized giving
- Implement recommendations from institutional development assessments
- Mature medical school development programs often account for 40-50% of overall university fundraising, thus U. T. Austin and U. T. Rio Grande Valley will have greater fundraising capacity over time



Going Forward (cont.)

- Institutions incorporate proven Strength in Numbers funded projects/personnel
- Continued investments in development are warranted as performance improves and innovations are needed to enhance outcomes
- Development budgets nationally are 1.4% of E&G expenditures and the median for U. T. System institutions remains at 0.8%



Going Forward (cont.)

- **The Center for Enhancing Philanthropy**
 - Training and Workshops FY2014
 - Leadership and succession planning workshop for advancement leaders
 - System Seminar February 23-25
 - Skill building alumni programs, annual giving, major gifts, stewardship, planned giving, etc.
 - Boot camp for new fundraising professionals
 - Expert faculty for use in Systemwide and customized workshops
 - Talent Management (recruit and retain high performing staff)
 - Work with Human Resources offices regarding career path issues, title, and compensation
 - Onboarding programs
 - National recruiting presence for U. T. System and institutions
 - Assessments, campaign planning, strategy, and reorganization models
 - Shared services among U. T. System institutions – Project South Texas, advancement services



4. **U. T. System Board of Regents: Discussion and appropriate action regarding implementation of recommendations of the Advisory Task Force on Best Practices Regarding University-Affiliated Foundation Relationships, including a) renumbering Regents' Rules and Regulations, Rule 60304 (Internal Nonprofit Corporations) as Rule 60303, and revision and renumbering of Rule 60305 (External Nonprofit Corporations) as Rule 60304; b) adoption of new Rule 60305 (University-Affiliated Foundations); and c) approval of a model Memorandum of Understanding**

RECOMMENDATION

The Chancellor concurs in the recommendation of Task Force Chairman Pejovich, the Vice Chancellor for External Relations, the Interim Vice Chancellor and General Counsel, and the General Counsel to the Board that the following steps to implement the recommendations of the Advisory Task Force on Best Practices Regarding University-Affiliated Foundation Relationships (Task Force) be approved.

- a. Renumber Regents' *Rules and Regulations*, Rule 60304 (Internal Nonprofit Corporations) as Rule 60303 and revise and renumber Rule 60305 (External Nonprofit Corporations) as Rule 60304 as set forth on Page 27;
- b. Adopt a new Rule 60305 (University-Affiliated Foundations) as set out on Pages 28 - 33; and
- c. Approve a model Memorandum of Understanding (MOU) in substantially the form set forth on Pages 34 - 38, subject to appropriate input from U. T. System institutions and university-affiliated foundations.

BACKGROUND INFORMATION

On November 15, 2012, then Chairman Powell created the Task Force, and charged the Task Force with making recommendations to the U. T. System Board of Regents to assure that relationships between U. T. System institutions and the U. T. System and affiliated foundations are optimally structured to serve as a national model for public universities for the best management, compliance, and oversight practices.

Regent Pejovich presented the Task Force's report to the Board on August 22, 2013. The Task Force recommended that its recommendations be effected through revised Regents' *Rules and Regulations* and implemented through U. T. System policies. The proposed Rules address the Task Force recommendations and include a model MOU that will serve as the basis for discussions and documentation regarding relationships based upon best practices. Full implementation of the Rules and execution of the MOUs are targeted for May 2014, following consultation with individuals from U. T. System institutions and university-affiliated foundations.

Delegation to execute each MOU is granted to the President or Chancellor after approval by the appropriate Executive Vice Chancellor and the Vice Chancellor and General Counsel pursuant to new Rule 60305.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 60305 60304

1. Title

External Nonprofit Corporations

2. Rule and Regulation

Sec. 1 Acceptance of Gifts or Bequests. The Board of Regents recognizes that there are legally incorporated nonprofit organizations (most having the word "foundation" in their charter) whose sole purpose is to benefit The University of Texas System, the institutions, or teaching, research, and other activities within those institutions. These organizations are administered by boards of directors independent from the control and supervision of the Board of Regents. Gifts or bequests from any such external organization to the University must be accepted and approved under gift acceptance policies.

Sec. 2 University-Affiliated Foundations. The relationships between the U. T. System and U. T. System institutions and nonprofit organizations classified as University-Affiliated Foundations is defined in Regents' Rule 60305.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 60305

1. Title

University-Affiliated Foundations

2. Rule and Regulation

Sec. 1 Importance and Mission Alignment. The independence and diversity of the U. T. System's affiliated university foundations is a great strength, one that uniquely reflects and serves the System's mission and community. At the same time, as a public entity entrusted with both private and public funds, the U. T. System's governing board has a responsibility to ensure that the development, management, and expenditure of resources that support U. T. System institutions are done in a manner consistent with federal, state, and local laws, and that the focus of university fundraising efforts by university personnel remain on funds to be administered by the university. The U. T. System also shares with its institutions and the affiliated foundations a special obligation to maintain the public's trust.

Each U. T. System institution and its university-affiliated foundations should assess, develop, and promote alignment between the university-affiliated foundation's and the institution's missions.

1.1 Memorandum of Understanding. Each U. T. System institution should engage its affiliated foundations in a process to review or develop a Memorandum of Understanding (MOU). The process should principally involve the institution and the affiliated foundation, including the chief executive of the university, the chief executive officer of the affiliated foundation, and the chair of the foundation board. Representatives of the U. T. System's Office of External Relations, Office of Academic Affairs or Office of Health Affairs, Office of General Counsel, and Office of the Board of Regents and the affiliated foundation's legal counsel should be engaged as necessary throughout the process.

The resulting proposed MOU should substantially comply with a model MOU developed with appropriate input from U. T. System institutions and university-affiliated foundations and approved by the Board of Regents. The MOU should also include the provisions listed in Section 1.2 below.

The MOU process should culminate in a formal adoption of the MOU between the System or the institution and affiliated foundation executed by the institutional President or the Chancellor after approval by the appropriate Executive Vice Chancellor and the Vice Chancellor and General Counsel.

- 1.2 MOU Provisions. The MOU should include provisions that:
- a. Summarize the overall relationship between the foundation and the university and how the foundation's assets, functions, gift administration, or grant-making serve the university's mission.
 - b. Establish the President, or the President's designee, as the primary institutional staff contact for the university-affiliated foundation, and the institution's Chief Financial Officer, or the Chief Financial Officer's designee, as the primary financial contact for the university-affiliated foundation.
 - c. Define the foundation's role in fundraising, if any, and delineate, as appropriate, the respective oversight responsibilities of foundation and institutional personnel with regard to prospect management, gift acceptance and receipting, and stewardship. The primary focus of fundraising efforts by university-compensated personnel, including development professionals, deans, and faculty, should remain on funds to be directed to and administered by the university.
 - d. Identify specific services provided by the foundation, which might include fundraising, gift acceptance and advancement services, records and data management, investment services, real estate projects, or other activities in support of institutional functions and priorities, and any payments or consideration provided to the foundation in exchange for such services (precise fees or payments may be documented in separate agreements).
 - e. Describe any institutional resources provided for the use of the foundation. Resources might include budget allocations, staff support, office space, and technology. Recovery of costs associated with providing such resources should be at the same rates charged to university departments. Further, the institutions and university-affiliated foundations should use separate computers and computer systems to avoid the intermingling of data and information. If a database is shared for purposes of maximizing efficiency, accuracy of data, and prospect management, the rationale for sharing a database should be documented and approved in accordance with applicable policies of the Board of Regents (see Regents' Rule 10501), and appropriate steps should be taken and documented to protect the interests of both the U. T. System institution and the university-affiliated foundation, for example, by implementing separate gift-processing modules. (Because funding and fee structures may vary from year to year, the MOU may reference separate support or service agreements or disclosures.)

- f. Identify a process to phase out any employment arrangements currently in place between any institution and its affiliated foundation whereby an institution and foundation share staff. Where extraordinary circumstances exist requiring the continuation of any such arrangement, establish terms under which foundation functions and operations may be staffed by university employees, including a description of reporting relationships and the role played by foundation staff or board members in hiring decisions, performance evaluation, and compensation decisions. Consistent with the guidance found in the Attorney General Opinion No. MW-373 (1981), U. T. System institutions lack the authority to place foundation employees on payroll or to provide them benefits reserved for state employees. (Because funding and fee structures may vary from year to year, the MOU may reference separate support or service agreements or disclosures.)
- g. Describe records, including alumni and donor records, owned either by the institution or foundation and policies governing the use and sharing of such records, including public access under the Texas Public Information Act. The MOU should also include language related to the privacy of student information subject to the Family Educational Rights and Privacy Act (FERPA) and include procedures for providing and safeguarding any student information in full compliance with FERPA.
- h. Define reciprocal responsibilities and mutual expectations regarding the frequency, content, and method of reporting between the university-affiliated foundation and its supported institution. This should include a requirement for an independent annual audit of the foundation and a requirement that the audit report be provided to the supported institution.
- i. Describe the terms, process, and frequency by which foundation funds or grants will be provided to the university, including discretionary funds or funds intended to fund the compensation or benefits of university employees (not including transfers of funds for endowed faculty or administrative positions). This should also include requisition guidelines and annual limits for seeking foundation funds or support for the purchase of tickets to attend or sponsor third-party or institutional annual dinners, galas, auctions, or other donor-related functions, and provisions for the reimbursement of university employees for expenses incurred on behalf of the foundation.
- j. Define terms for the foundation's use of the university's name, service marks, branding, and other proprietary university property, consistent with Board of Regents' policy. (See U. T. System Trademark Licensing Policy).

- k. Include statements regarding (a) practices to identify and appropriately manage potential conflicts of interests involving institutional staff, foundation staff, and foundation board members, and (b) practices to prevent the payment or accrual of impermissible benefits to university or university-affiliated foundation employees, directors, or officers. This should include a prohibition of the gift or loan of university-affiliated foundation property, services, funds, credit, or assets to university employees, families, or their representatives, except under circumstances whereby a specific program or strategy has received prior written approval by the Board of Regents.
 - l. Include information regarding gift or management fees assessed by the foundation.
 - m. Clearly define the extent of any liability arising out of the relationship.
 - n. Establish guidelines and the conditions under which the MOU may be terminated by the institution or foundation and outline a process for the orderly separation of an institution from a foundation and/or a foundation from an institution as well as the distribution of foundation assets consistent with its articles of incorporation and bylaws.
- 1.3 Periodic Assessment. Institutions and affiliated foundations should engage in periodic assessment of the role of the university-affiliated foundation and its relationship with its supported institution by revisiting the MOU process periodically.
- 1.4 Use of Name or Logo. Execution of an MOU is required for the continued approval for the use of the name or logo of any entity within the U. T. System by a university-affiliated foundation.
- 1.5 New Affiliated Foundation. Any new university-affiliated foundation seeking recognition by U. T. System or a U. T. System institution must execute an MOU as described above.
- Sec. 2 Transparency. Institutions and their affiliated foundation(s) should work together to implement practices that increase transparency, openness, and disclosure to the supported institution and the public.
- 2.1 Each institution and its university-affiliated foundations should provide for the sharing, consistent with applicable laws and donor privacy, of financial information, audits, annual IRS filings, and other records with each other and outside parties.

- 2.2 Each institution and its university-affiliated foundations should work together to adopt a transparency statement oriented specifically to donors, alumni, and outside parties that
- (a) clarifies the relationship between the institution and the university-affiliated foundation;
 - (b) explains the role that the private foundation plays in the university setting;
 - (c) lists each foundation's leadership, budget, and assets; and
 - (d) explains the difference between making a gift to the U. T. System, a U. T. institution, or the university-affiliated foundation.
- 2.3 Each institution and its university-affiliated foundations should adopt practices to assure the university is aware of foundation policies regarding gift or administrative fees, including the disclosure to donors or potential donors of any and all fees for endowment or non-endowment gifts, pledges, or bequests.
- 2.4 Each institution and its university-affiliated foundations should establish a practice to assure routine reports to donors.
- 2.5 Each institution should identify all affiliated foundations on its website, clearly noting their status as separate from the supported institution. Similarly, each university-affiliated foundation should have a well-developed website that provides public access to information about the foundation's mission, a list of foundation employees and board members, and clear contact information for the foundation.
- Sec. 3 Governance. Each institution and university-affiliated foundation should:
- (a) Ensure that the work of the foundation is aligned with the strategic priorities of the supported university.
 - (b) Collaborate to establish strong periodic orientation programs to educate new university officials and all new foundation board members about the foundation's mission, legal requirements, and fiduciary duties.
- Sec. 4 Foundation Policies. University-affiliated foundations should adopt policies that are transparent, reflect best practices, and mitigate even the appearance of impropriety, unfairness, financial self-dealing, or fiscal imprudence.
- Sec. 5 Donor Intent. Institutions and university-affiliated foundations should adopt and consistently apply gift acceptance policies, thoroughly document donor intent, and carefully review proposed gifts to ensure that donors' intentions can be fulfilled and that through the acceptance of gifts, institutions will not be subject

to undue external influence, such as over academic programs and appointments, or to financial or compliance risk.

The policies should require consultation between the foundation and appropriate institution representatives prior to the foundation accepting gifts restricted for a) institution purposes other than those addressed in existing gift acceptance policies, or b) that may subject the institution to unusual conditions or requirements.

3. Definitions

University-Affiliated Foundations - Texas nonprofit trusts or corporations whose sole, primary, or operationally significant purpose is to provide financial support to a U. T. System institution.

4. Relevant Federal and State Statutes

Texas Business Organizations Code Section [22.353](#)

Texas Government Code Section [2255.001](#) – Rules (Private Donors or Organizations)

Texas Attorney General Opinion No. [MW-373](#) (1981)

5. Relevant System Policies, Procedures, and Forms

Regents' *Rules and Regulations*, [Rule 10501](#), Delegation to Act on Behalf of the Board

Regents' *Rules and Regulations*, [Rule 30104](#), Conflict of Interest, Conflict of Commitment, and Outside Activities

Regents' *Rules and Regulations*, [Rule 60101](#), Acceptance and Administration of Gifts

Regents' *Rules and Regulations*, [Rule 60305](#), External Nonprofit Corporations

Regents' *Rules and Regulations*, [Rule 60306](#), Use of University Resources

[The University of Texas System Administration Policy UTS138, Gift Acceptance Procedures](#)

[Best Practices Regarding University-Affiliated Foundation Relationships – Advisory Task Force Report \(2013\)](#)

MODEL
MEMORANDUM OF UNDERSTANDING

By this Memorandum of Understanding, THE UNIVERSITY OF TEXAS _____
("University") and _____ ("Foundation") agree as follows:

1. The University and the Foundation deem it appropriate to, and do hereby, memorialize the relationship between the Foundation and the University, and agree mutually for the future regarding the respective roles, rights and obligations of the University and the Foundation in this relationship.

[If Foundation has specialized or limited functions, those should be specified]

2. The Foundation is a nonprofit educational corporation chartered in Texas for the purposes of: supporting the educational undertakings of the University; furthering education, research and financial assistance to deserving recipients; accepting donations for particular objectives to accomplish such purposes; and cooperating with the advancement of the general welfare of the University as a whole. The policies of the Board of Directors of the Foundation include the activities of securing and administering funds for the benefit of the University.

[If Foundation has a different corporate structure or specialized duties, those should be specified]

3. The Foundation agrees that, during the term of this Memorandum of Understanding, the Foundation will:

- (1) Accept gifts for the benefit of the University that may include: support for the procurement and retention of outstanding faculty members; financial support for students; the enrichment of the educational environment of the University; and, by other agreed upon activities, enhancement of the prestige of, and advancement of, the University; and utilization of its expertise, resources and personnel for such purposes;

- (2) Render other assistance to the University as may mutually appear desirable, including the following:

- Develop an annual plan approved by the Foundation to raise funds and an annual plan to spend funds.
- Base its spending plan on funds on hand.

- Pay to the University all direct costs borne by University to support Foundation projects.
 - Direct its fundraising in cooperation with University fundraising efforts and in alignment with the University mission.
- (3) Recognize the University as the sole beneficiary of its development activities and its educational support. The Foundation, its officers and directors understand that the Foundation may engage in fundraising for the Foundation's support. The Foundation will not sponsor or participate in any organized fundraising effort for the benefit of the University without first consulting with and receiving the approval of the President of the University, or his/her designee.
- (4) Establish a website that provides public access to information about the Foundation's mission, a list of Foundation employees and board members, and clear contact information.
- (5) Enact and enforce records retention procedures that ensure orderly management and retrieval of documents.
- (6) Enact a policy to provide for public inspection of financial records and Foundation meeting minutes to the extent permissible by law.

[Other functions, including records and data management, or the provision of other services to University, should be specified. If the purposes of the Foundation are other than solely fundraising or if the University is not the sole beneficiary of the Foundation's activities, those modifications can be reflected in this section. For example, Sealy and Smith Foundation, Southwestern Medical Foundation and the UT Foundation have broader purposes.]

4. The University agrees that, during the term of this Memorandum of Understanding, the University may:

- (1) provide reasonable space on or near its campus, as approved by the University President, to the Foundation for the purpose of carrying out its obligations hereunder and for its general operations on behalf of the University;

- (2) provide the utilities and telephone services reasonably needed by the Foundation in carrying out its activities under this Memorandum of Understanding;
- (3) permit reasonable use of University equipment and personnel as needed to coordinate the activities of the Foundation with the operations of the University and hereby expressly recognizes that the University President, officers and the employees may reasonably assist from time to time in development programs as may be needed or helpful in coordinating those Foundation activities with the operations of the University. Foundation employees may not be University employees, be carried on the payroll of the University or receive University employee-related benefits;
- (4) provide access to alumni data, when appropriate, through the University's Office of Development or Alumni Relations and with the approval of the Vice President for Development or University Advancement, for the purposes of benefiting the fundraising efforts of the Foundation and the University.

[If University provides other support or resources, those should be specified. If the potential for conflicts of interest exist, a management plan should be specified]

Recovery of costs associated with providing such resources will be at the same rate charged to University departments and documented in separate support or service agreements.

5. The University and the Foundation are committed to transparency. All audits of the Foundation, as required by the Internal Revenue Code and as requested by the Foundation, shall be provided to the University as requested and to the public to the extent permissible by law. The University and the Foundation will provide information to the public, on each website, the nature of the relationship between the two entities and explain the difference between contributions to the two entities. Further, the University and the Foundation will establish a practice to provide routine reports to donors.
6. It is mutually agreed that the University and the Foundation will use separate computers and computer systems to avoid the intermingling of data and information. If it is mutually agreed that a database should be shared for purposes of maximizing efficiency, accuracy of data, and prospect management, the rationale for sharing such database should be documented and approved in accordance with Rules and Regulations of the Board of Regents Rule 10501.

7. It is mutually agreed that the University and the Foundation will not share staff. **[If shared staffing does occur, the following language should be added: The University and the Foundation find that there are extraordinary circumstances that require the existence of shared staff. University employees authorized to provide foundation support shall report to _____. Further, such employees may assist in foundation functions and operations only to the extent as outlined below:]**

8. It is mutually agreed that the University and the Foundation will execute an annual written agreement by August 1 of each year for the next fiscal year (September 1 through August 31) specifying a “Management and Use Fee” to compensate the University for the utilization by the Foundation of equipment, utilities and office space and for the time spent by any University employees on Foundation matters authorized under Section 7, attached as Exhibit 1. (For purposes of the Annual Agreement, such time will be estimated based on the previous year’s actual time commitment.) Any direct costs beyond those covered by the Annual Agreement shall be agreed to in advance between the presidents of the Foundation and the University, or their designees.
[Other reporting obligations of the Foundation, including fundraising, funds transfer, expenditures, etc. should be specified.]

9. To protect any University of Texas System trademarks, Foundation may use the University trademarks specified in and subject to the restrictions contained in the attached trademark license, Exhibit 2.

10. Foundation shall comply with all applicable laws regarding privacy of student, alumni and donor records and shall also comply with all requirements of the Texas Public Information Act that may be applicable to Foundation due to its relationship with University.
[Applicability of the Texas Public Information Act (TPIA) to the Foundation will depend on specific factors, including the use by the Foundation of University resources or funds, and specific language may be tailored or added here to clarify the separate nature of the Foundation. However, the Office of the Attorney General has ultimate authority to determine the applicability of the TPIA.]

11. The University enters this arrangement with the Foundation with the expressed understanding that the University is not responsible for any debt, obligation or liabilities of the Foundation, its officers and/or trustees.

12. It is mutually agreed that the University and the Foundation will operate proactively to identify and appropriately manage potential conflicts of interest involving institutional officers and employees, foundation staff, and foundation board members. The conflict of interest provisions of both the University's policies and the Foundation's policies are expressly applicable to all interactions between the University and the Foundation. In cases where the conflict of interest policies of the University and the Foundation conflict, the more restrictive policy will control.

This agreement is effective immediately upon execution by the parties, and it shall remain in effect from year to year unless modified in writing by mutual agreement of the Foundation and the University or terminated by either the Foundation or the University upon giving written notice six (6) months prior to the end of a fiscal year of the University (by August 31).

Effective on this ____ day of _____, 20--.

The _____ Foundation

By: _____
President

Date: _____

The University of Texas _____

By: _____
President [or designee]

Date: _____

Exhibit 1 – not attached

Exhibit 2 – not attached

5. U. T. Permian Basin: Appointment of Dr. Charles A. Sorber as President Emeritus

RECOMMENDATION

The Chancellor concurs in the recommendation of Executive Vice Chancellor for Academic Affairs and President Watts that the U. T. System Board of Regents appoint Dr. Charles A. Sorber as President Emeritus at U. T. Permian Basin. Approval of this recommendation is being requested in accordance with the Regents' *Rules and Regulations*, Rule 20301.

BACKGROUND INFORMATION

Dr. Charles A. Sorber served as the fourth president of U. T. Permian Basin from 1993 to 2001. He was Professor Emeritus in the Department of Civil, Architectural and Environmental Engineering at U. T. Austin. Among his previous faculty and administrative posts, he was Dean of the School of Engineering at The University of Pittsburgh, Associate Dean of Engineering in the College of Engineering at U. T. Austin, and Vice Chancellor for Special Engineering Programs at U. T. System. He earned a B.S. and M.S. degree in Sanitary Engineering at The Pennsylvania State University and held a Ph.D. in Engineering from U. T. Austin.

He also worked at U. T. System Administration as Interim Vice Chancellor for Special Engineering Programs and as the System's Special Engineering Advisor to coordinate U. T.'s bid to manage Los Alamos National Laboratory.

Dr. Sorber began his professional career with the U.S. Army, serving in a number of positions in Europe with the U.S. Army Medical Research and Development Command. His service earned him the Meritorious Service Medal with two Oak Leaf Clusters as well as other honors. He returned to U. T. Austin in 2001 where he held a number of positions. He was Interim President at U. T. Arlington from 2003 to 2004. In 2009, he was asked to come out of retirement to serve as Interim President of U. T. Pan American.

Dr. Sorber was active in a wide range of professional activities. He served as chair or member of a number of engineering committees including the National Research Council, the Stockholm Water Symposium, and the National Association of State Universities and Land Grant Colleges. He was named a Fellow in the American Society of Civil Engineers in 1991. Dr. Sorber served as President of the Water Environment Federation from 1992 to 1993.

He was a member of several honorary societies and received a number of awards for his teaching and professional services, including the Gordon Maskew Fair Award of the American Academy of Environmental Engineers & Scientists and the William J. Orchard Medal of the Water Environment Federation. In addition, he was named Outstanding Engineering Alumnus of The Pennsylvania State University and Distinguished Graduate of the College of Engineering at U. T. Austin.

Dr. Sorber authored or co-authored more than 130 papers and reports in the areas of land application of wastewater, wastewater reuse and disinfection, and in higher education.

Dr. Sorber passed away on October 18, 2013.

6. **U. T. System Board of Regents: Discussion and appropriate action regarding amendment of Regents' Rules and Regulations, Rule 10101 (Authority) and Rule 10403 (to be retitled as Public Statements on Behalf of the Board); and adoption of proposed new Rule 10801 (Policy on Transparency, Accountability, and Access to Information)**

RECOMMENDATION

Chairman Foster recommends amendments to the Regents' *Rules and Regulations*, Rule 10101 (Authority) and Rule 10403 (Procedure), and adoption of new Rule 10801 (Policy on Transparency, Accountability, and Access to Information), concerning access to and requests for information, email addresses and accounts for U. T. System business, and official statements and coordination of press activities, as set forth in congressional style on the following pages.

BACKGROUND INFORMATION

Proposed revisions to Rule 10101 contain clarifications to current language on Board authority and duties including a new Section 5 related to records and information management. Section 5 covers compliance with System policies on records retention and information management and on encryption, retention, destruction, and release of documents. Section 5 also mandates related training and the establishment of a U. T. System email address for each Regent. It is recommended that the Board require any email messages sent by a U. T. employee to a Regent on a matter of public policy or U. T. business be sent only to the Regent's U. T. email address.

Proposed changes to Rule 10403 clarify who may speak on behalf of the Board and the System and set the expectation that Regents will coordinate media contacts with the Office of External Relations.

Chairman Foster also recommends the enactment of a new Rule 10801, intended to complement the numerous ongoing U. T. System transparency initiatives including enhanced data-gathering, data management, and access to data through the U. T. System's electronic Productivity Dashboard.

- The proposed new Rule acknowledges the need for a comprehensive plan and the capacity to make voluminous documents and a growing repository of data readily available for review, as appropriate, by all requestors – including the public, representatives of the media, members of the Legislature, and members of the Board of Regents.
- The recommended new Rule envisions a plan for significantly improving data management and access with the goals of increasing transparency and accountability while reducing administrative burdens through an orderly and efficient method of records management and production. For members of the Board seeking information, the proposed Rule formalizes a request process that facilitates discussion with the Chairman, the Chancellor, and the requesting Regent to assist in avoiding duplication of efforts and to work together to set the scope and deadlines for production in the context of System strategic priorities. The proposed Rule is not intended to prevent a member of the Board from access to information or data the Regent deems necessary to fulfill his or her official duties but to ultimately make more information and data readily available for all.

- Benefits expected include providing quicker access to data in a format more conducive to analytical review; making the best information available to decision-makers to fulfill their responsibilities; reducing workload on U. T. System and institutional staff members; providing better access to and use of the increasing amounts of data being collected by the U. T. System Administration and the U. T. System institutions; and allowing researchers to identify important challenges, patterns, and opportunities.
- U. T. System Administration and U. T. System institutions currently provide Web access to a listing of all requests made under the Texas Public Information Act from at least early 2013. The new Rule directs the U. T. System to work to identify improvements to the websites. As one facet of the enhanced access, the U. T. System will pilot a phased program to provide access to the actual documents responsive to each of the requests, to the extent feasible and legally permitted. The existing System Administration website may be accessed at <http://www.utsystem.edu/>.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 10101

1. Title

Board Authority and Duties

2. Rule and Regulation

Sec. 1 Authority of the Board. The Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The University of Texas by Article VII, Section 10 of the Texas Constitution, has delegated the power and authority to govern, operate, support, and maintain ~~administer~~ The University of Texas System to the Board of Regents. (See *Texas Education Code* Section 65.11 et seq. and Section 51.352) Texas court cases construing these statutes have held that the Board has wide discretion in exercising its power and authority and that the rules adopted by the Board have the same force as statutes. The System's lands and buildings are State of Texas property subject to the control of the Board as the State's agent.

Sec. 2 Amendment or Suspension of Rules. The Regents' *Rules and Regulations* may be added to, amended, waived, or suspended by a majority of all of the members of the Board of Regents present at any regular meeting or at any special meeting called for that purpose.

Sec. 3 ~~Communication with Staff and Faculty~~ Duties and Responsibilities of Each Regent.

3.1 In carrying out the duties and responsibilities referenced in Section 1 above, it ~~is~~ is the responsibility of each Regent to be knowledgeable in some detail regarding the operations, management, finances, and effectiveness of the academic, research, and public service programs of the U. T. System, and each member ~~members~~ of the Board of Regents has the right and authority to inform himself/herself ~~themselves~~ as to the ~~their~~ duties, responsibilities, and obligations of the member in such a manner as they each may deem proper. Members of the Board of Regents are to be provided access to such information as in their individual judgments will enable them to fulfill their duties and responsibilities as Regents of the U. T. System. (Moved from Regents' Rule 10403, Section 5)

3.2 Information requests for data or for the compilation of information by an individual member of the Board will be processed in compliance with Regents' Rule 10801 concerning Transparency, Accountability, and Access to Information.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 10101

Sec. 4 ~~Communication with Faculty, and Staff, and Administration.~~ Members of the Board of Regents are to be provided access to such personnel as in their individual judgments will enable them to fulfill their duties and responsibilities as Regents of the U. T. System. The regular channel of communication from members of the Board to the faculty, staff, and administration is through the Chancellor, the appropriate Executive Vice Chancellor, and the president of the institution involved, and a copy of any communication sent by a Regent directly to any member of the faculty, staff, or administration should be furnished to the Chancellor, the appropriate Executive Vice Chancellor, and the president of the institution involved; however, individual Board members are not precluded from direct participation and communication with the presidents, faculty, staff, and students of the U. T. System. (Moved from Regents' Rule 10403, Section 5)

Sec. 5 Records and Information Management. Members of the Board of Regents shall comply with the Systemwide policies regarding records retention and information management, including System Administration policies on encryption, retention, destruction, and release of documents.

5.1 In addition to required training under State law, each member of the Board will be provided training on records and document management, including compliance with U. T. System records and retention policies.

5.2 U. T. System Administration will provide a U. T. System email address and account to each Regent at the beginning of service as a member of the Board of Regents. Members of the Board are strongly encouraged to use U. T. System email addresses for all communications related to public business or public policy over which the Board of Regents has supervision or control.

5.3 Any email messages sent by a U. T. System employee to a member of the Board of Regents and related to public policy or U. T. business will be sent to the Regent's U. T. System email address.

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 10403

1. Title

Procedure Public Statements on Behalf of the Board

2. Rule and Regulation

...

Sec. 10 ~~Political or~~ Public Statements on Controversial Matters. The Board of Regents acts to determine the reserves to itself the responsibility for passing upon ~~matters of a political or obviously controversial nature, which represent an official position of the U. T. System or~~ the Board of Regents on matters of an obviously controversial nature any institution or department thereof.

10.1 Statements on such matters shall be made by the Chairman of the Board or the Chancellor.

10.2 Except as allowed under Section 10.1 ~~Without the advance approval of the Board,~~ no Regent, officer, or employee faculty or staff member shall make or issue any public statement on any political or other subject of an obviously controversial nature subject which might reasonably be construed as a statement of the official position of the U. T. System or the Board of Regents without the advance approval of the Board any institution or department thereof. Each institution's Handbook of Operating Procedures may specify the institutional officers authorized to speak on behalf of the institution.

10.3 It is not the intent of this policy statement to stifle the right of freedom of speech of anyone speaking in a personal capacity where that person makes it clear that he or she is not speaking for the U. T. System or the Board of Regents any of the institutions. ~~Statements on matters of an emergency nature shall be cleared by the Chancellor with the Chairman of the Board.~~ To the extent possible, Regents are expected to coordinate media contacts with and to provide advance notice to the U. T. System Office of External Relations regarding any media contacts and press statements.

....

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 10801

1. Title

Policy on Transparency, Accountability, and Access to Information

2. Rule and Regulation

Sec. 1 The Board of Regents and U. T. System Administration are committed to enhancing transparency, accountability, and access and disclosure of information to the public, the media, elected and appointed state and federal officials, and executive policy makers.

Sec. 2 To assist in achieving these goals, the Board wishes to provide maximum transparency to the public and its representatives to the fullest extent allowed by law while ensuring compliance with best governance practices and appropriate protection of confidential information and personal privacy. The Board acknowledges significant U. T. System leadership and progress in expanding access and transparency, supports these ongoing efforts, and recognizes that the efforts will require continuing and long-term commitment.

Sec. 3 The Board requires all U. T. System Administration, U. T. System institutional employees, and members of the Board to respond thoroughly and appropriately to all legal requests for information and in accordance with state and federal laws to all lawful requests. The Board expects all employees to work to achieve and maintain an environment of transparency, cooperation, and compliance with applicable law and policy. The Board will support staffing levels and acquisition of resources necessary and reasonable to implement and achieve the intent of this Rule.

Sec. 4 Enhancement of Access to and Analysis of Data and Information.

4.1 Importance of Data Collection, Retention, and Analysis. The U. T. System recognizes and supports the importance of data collection, retention, and analysis for purposes such as reviewing System operations and policies, guiding decision-making, improving productivity and efficiency, and evaluating performance outcomes.

4.2 Increase in the Amount of Data Available. The U. T. System recognizes that the amount of significant data being accumulated by the U. T. System and U. T. System institutions is expanding exponentially each year. The System further recognizes that current data collection and management systems in use are not sufficient to effectively manage and utilize all data becoming available.

4.3 Opportunities for Additional Enhancements. The U. T. System is continually looking for ways to enhance the performance of its institutions, to support access and success for all students, to improve

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 10801

educational outcomes, and to remain a national leader in providing access to data. As such, the U. T. System is committed to continue collecting additional data and finding and utilizing new, better and more expansive systems and software with which to manage and access these data. These improved systems and new software will greatly improve the ability to generate better informed decisions to enhance student success, to increase productivity and efficiency, and to facilitate access to and analysis of the data.

- 4.4 Framework for Advancing Excellence. The Framework, established in 2011, implemented a centralized data warehouse for the purposes of evaluating the progress of U. T. System institutions in achieving the goals set forth in the Framework. The data warehouse is a central source of information for the U. T. System Productivity Dashboard, which specifically supports the goals of transparency and efficiency as expressed in the Framework.

(Framework url: <https://www.utsystem.edu/chancellor/speeches/a-framework-for-advancing-excellence-throughout-the-university-of-texas-system>)

- 4.5 Information Accessible through Data Dashboard. The U. T. System Productivity Dashboard provides a rolling 10 years (where available) of data on the performance of all U. T. System institutions and is available free to the public. The Productivity Dashboard provides important data and metrics concerning students, faculty, research and technology transfer, health care, and productivity and efficiency.

(Productivity Dashboard url: <http://data.utsystem.edu/>)

Sec. 5 Processing Information Requests.

- 5.1 Requests by Members of the Public. To enhance transparency, U. T. System institutions and U. T. System Administration are expected to act in strict compliance with the Texas Public Information Act (TPIA) and applicable State and federal law in providing public access to governmental records.
- 5.2 Requests by Representatives of the Media. In addition to the public right of access to information through the TPIA, representatives of the media may utilize U. T. System Administration and institutional offices of external relations as an additional resource for questions.
- 5.3 Requests by Members of the Texas Legislature. The TPIA provides members of the Texas Legislature a special right of access to information needed for legislative purposes. U. T. System Administration and

**The University of Texas System
Rules and Regulations of the Board of Regents**

Rule: 10801

institutional offices of governmental affairs serve as additional resources for questions from members of the Legislature.

5.4 Requests by Members of the Board of Regents and Chancellor.

5.4.1 This process is not intended nor will it be implemented to prevent a member of the Board of Regents or the Chancellor from access to information or data that the Board member or Chancellor deems is necessary to fulfill his or her official duties and responsibilities.

5.4.2 Requests by an individual Regent for information shall be submitted to the Chancellor with a copy to the Board Chairman and General Counsel to the Board.

5.4.3 Information requests from or on behalf of an individual member of the Board of Regents seeking the compilation of significant quantities of information or data from a U. T. System institution will be reviewed by the Chairman of the Board and the Chancellor and, if necessary, discussed with the requesting Regent to determine the appropriate scope of the request and timing of the response to avoid inefficiencies and duplication of effort but shall also ensure that requests are fulfilled in a timely manner consistent with applicable law and policy.

5.4.4 Smaller requests for existing information or data that do not appear to require significant time or effort may be processed through the Office of the Board of Regents and the Chancellor's Office.

Sec. 6 Access to Requests for Information.

6.1 The U. T. System Administration is directed to look for opportunities to expand the existing U. T. System websites, established in 2012 to provide public access to requests for information and which include all Texas Public Information Act requests.

(Open Records website: <http://www.utsystem.edu/open-records?src=uts-homepage>)

6.2 It is the intent of the Board that documents responsive to those requests be made available electronically to the extent legal and feasible, with the Chancellor to set timelines for implementation, in consultation with the Chairman.

7. **U. T. System Board of Regents: Announcement by Chairman Foster of establishment of a new Task Force on Intellectual Property Issues**

Chairman Foster will announce the establishment of a new Task Force on Intellectual Property Issues.