

OMISSION

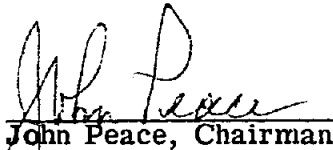
Pages 2399 - 2635

A. Ruth Baker

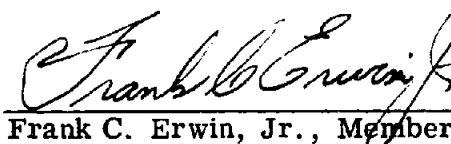
SIGNATURE OF OPERATOR

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

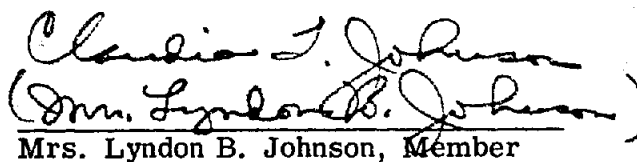
Signed this the 4th day of June 1971, A. D.

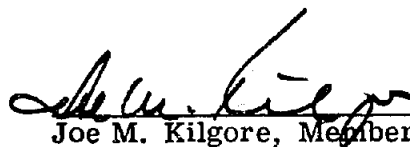

John Peace, Chairman

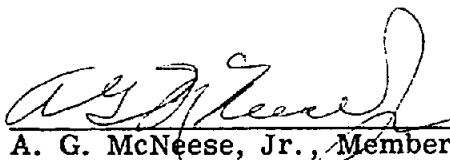
Frank N. Ikard, Vice-Chairman

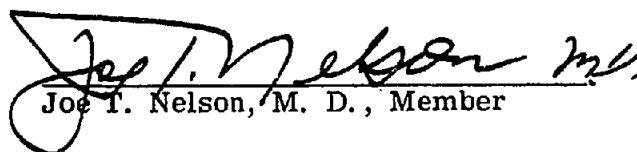

Frank C. Erwin, Jr., Member


Jenkins Garrett, Member


Mrs. Lyndon B. Johnson, Member


Joe M. Kilgore, Member


A. G. McNeese, Jr., Member


Joe T. Nelson, M. D., Member


Dan C. Williams, Member

Meeting No. 690

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

June 4, 1971

Austin, Texas

Meeting No. 690

FRIDAY, JUNE 4, 1971: JOINT MEETING OF THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM AND THE BOARD OF DIRECTORS OF THE TEXAS A&M UNIVERSITY SYSTEM. --At 9:00 a. m. on Friday, June 4, 1971, the Board of Regents of The University of Texas System and the Board of Directors of The Texas A&M University System convened in joint session in the Main Building, Room 212, of The University of Texas at Austin, Austin, Texas. The purpose of the joint meeting was for the Board of Regents to authorize issuance and to award sale of the Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1971, in the amount of \$9,000,000, and for the Board of Directors to authorize issuance and to award sale of the Board of Directors of The Texas A&M University System Permanent University Fund Bonds, New Series 1971, in the amount of \$5,000,000.

INVOCATION AND INTRODUCTION OF REGENTS AND DIRECTORS. -- The meeting was called to order by Chairman Peace, and the invocation was offered by Mr. Peyton McKnight, Jr., a member of the Board of Directors of The Texas A&M University System.

Chairman Peace of the Board of Regents of The University of Texas System welcomed the members of the Board of Directors of The Texas A&M University System. He then presented the following members of the Board of Regents, stating that Vice-Chairman Ikard was unable to be present at the meeting:

Present

Mr. Frank C. Erwin, Jr.
Mr. Jenkins Garrett
Mrs. Lyndon B. Johnson
Mr. Joe M. Kilgore
Mr. A. G. McNeese, Jr.
Joe T. Nelson, M. D.
Mr. Dan C. Williams

Absent

Mr. Frank N. Ikard, Vice-Chairman

Then Chairman Peace turned the meeting over to Vice-President A. P. Beutel of the Board of Directors of The Texas A&M University System. Vice-President Beutel presented the following members of the Board of Directors, stating that President Wells was unable to be present at the meeting:

Present

Mr. Ford D. Albritton, Jr.
Mr. H. C. Bell, Jr.
Mr. H. C. Heldenfels
Mr. William Lewie, Jr.
Mr. Peyton McKnight, Jr.
Mr. L. F. Peterson
Mr. S. B. Whittenburg

Absent

Mr. Clyde H. Wells, President

(Following these presentations, the Directors of Texas A&M concluded their business with respect to their bond sale and turned the meeting back to Chairman Peace. These minutes reflect only the proceedings of the meeting relating to the Board of Regents of The University of Texas System.)

RESOLUTION (1) AUTHORIZING THE ISSUANCE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1971, IN THE AMOUNT OF \$9,000,000 (2) AWARDEDING THE SALE OF THE BONDS TO A SYNDICATE HEADED BY DREXEL FIRESTONE, INCORPORATED, BLYTH & CO., INC., JOINT MANAGERS, (3) DESIGNATING THE CITIZENS NATIONAL BANK OF WACO, WACO, TEXAS, AS THE PAYING AGENT AND MORGAN GUARANTY TRUST CO., NEW YORK, NEW YORK, AND HARRIS TRUST AND SAVINGS BANK, CHICAGO, ILLINOIS, AS THE CO-PAYING AGENTS, AND (4) AWARDEDING CONTRACT TO PRINT BONDS TO STECK-WARLICK COMPANY, THE STECK DIVISION, AUSTIN, TEXAS. --The resolution prepared by the Bond Counsel (set out on Pages 3 - 13) authorizing issuance of Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1971, in the amount of \$9,000,000 for constructing, equipping or acquiring buildings or other permanent improvements and awarding sale thereof as recommended by the Associate Deputy Chancellor for Investments, Trusts and Lands to a syndicate headed by Drexel Firestone, Incorporated, Blyth & Co., Inc., Joint Managers, at the price of par and accrued interest to date of delivery plus a premium of \$8,955 (Page 13), at rates of interest as set out in the resolution on Page 7 was duly introduced for the consideration of said Board and read in full. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote:

AYES: All members of said Board shown present on Page 1.

NOES: None.

The bid of The Citizens National Bank of Waco, Waco, Texas, to serve as paying agent for the Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1971, in the amount of \$9,000,000, was approved without objection upon motion duly made and seconded (Page 8). The bank will make no charge for payment of bonds and coupons and will pay the Board of Regents the sum of \$1,280. By the same motion Morgan Guaranty Trust Co., New York, New York, and Harris Trust and Savings Bank, Chicago, Illinois, were designated as co-paying agents.

The bid of Steck-Warlick Company, The Steck Division, Austin, Texas, was approved without objection upon motion duly made and seconded for printing with lithographed borders the Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1971, in the amount of \$9,000,000 for the sum of \$658, there being five interest rates.

RESOLUTION

BY THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM AUTHORIZING THE ISSUANCE OF BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1971, IN THE AMOUNT OF \$9,000,000

WHEREAS, the Board of Regents of The University of Texas System (hereinafter sometimes called the "Board") heretofore has authorized, issued, and delivered that issue of Board of Regents of The University of Texas Permanent University Fund Refunding Bonds, Series 1958, dated July 1, 1958, said bonds having been authorized pursuant to the provisions of Section 18, Article VII of the Texas Constitution; and

WHEREAS, said Refunding Bonds, Series 1958, were payable from and secured by a first lien on and pledge of the Interest of The University of Texas System in the income from the Permanent University Fund, in the manner and to the extent provided in the resolution authorizing said Refunding Bonds, Series 1958; and

WHEREAS, the resolution adopted on July 23, 1958, authorizing the issuance of said Refunding Bonds, Series 1958, reserved the right and power in the Board to issue, under certain conditions, Additional Parity Bonds and Notes for the purposes and to the extent provided in Section 18, Article VII of the Texas Constitution, said Additional Parity Bonds and Notes to be on a parity with the aforesaid Refunding Bonds, Series 1958, and equally and ratably secured by and payable from a first lien on and pledge of the Interest of The University of Texas System in the income from the Permanent University Fund, in the same manner and to the same extent as are said Refunding Bonds, Series 1958; and

WHEREAS, Section 18, Article VII of the Texas Constitution provides that the Board is authorized to issue negotiable bonds and notes for the purpose of constructing, equipping, or acquiring buildings or other permanent improvements for The University of Texas System, in a total amount not to exceed two-thirds (2/3) of Twenty per cent (20%) of the value of the Permanent University Fund, exclusive of real estate, at the time of any issuance thereof; and

WHEREAS, the Board heretofore has authorized, issued, sold and delivered its Permanent University Fund Bonds, Series 1959, Series 1960, Series 1961, Series 1962, Series 1963, Series 1964, Series 1965, and Series 1966, as installments or issues of such Additional Parity Bonds; and

WHEREAS, the Board has deemed it necessary and advisable that no more of said Additional Parity Bonds shall be issued because of the excessively restrictive Permanent University Fund investment covenants made in connection with all of the aforesaid Permanent University Fund Bonds heretofore issued; and

WHEREAS, the Board is required by law to keep said investment covenants in full force and effect as to all of the aforesaid Permanent University Fund Bonds heretofore issued and to affirm the first lien on and pledge accruing to said outstanding Permanent University Fund Bonds heretofore issued on the Interest of The University of Texas System in the income from the Permanent University Fund; and

WHEREAS, pursuant to a resolution adopted on June 16, 1967, the Board authorized, issued, sold, and delivered an installment or issue of negotiable bonds designated as the Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1967, dated July 1, 1967 (hereinafter sometimes called the "New Series 1967 Bonds"), in the principal amount of \$14,000,000, payable from and secured by a lien on and pledge of the Interest of The University of Texas System in the Permanent University Fund, subject only and subordinate to the first lien on and pledge of said Interest heretofore created in connection with the aforesaid outstanding Permanent University Fund Bonds; and

WHEREAS, in said resolution adopted on June 16, 1967, the Board set forth the terms and conditions under which additional bonds may be issued to be on a parity with the aforesaid New Series 1967 subordinate lien bonds, and the Board has issued its Permanent University Fund Bonds, New Series 1968, New Series 1969, and New Series 1970, in accordance therewith; and

WHEREAS, the Board has determined to authorize, issue, sell, and deliver another installment or issue of such subordinate lien parity New Series Bonds in the principal amount of \$9,000,000; and

WHEREAS, the Board hereby officially finds and determines that the value of the Permanent University Fund, exclusive of real estate, is in excess of \$584,000,000.

THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM:

1. Throughout this resolution the following terms and expressions as used herein shall have the meanings set forth below:

The term "Permanent University Fund," "Permanent Fund," and "Fund" used interchangeably herein shall mean the Permanent University Fund as created by Article VII, Section 11 of the Texas Constitution, further implemented by the provisions of Title 49, Chapter 1, of the Revised Civil Statutes of Texas, 1925, as amended and supplemented.

The expression "Interest of the University" in the Permanent University Fund shall mean all of the income to such Fund from grazing leases on University lands, and all of the other income from such Fund, after making provision for the payment of the University's proportion of the expenses of administering such Fund, excepting one-third of the income arising and accruing to The Texas A&M University from the 1,000,000 acres of land appropriated by the Constitution of 1876 and the land

appropriated by the Act of 1883, as more particularly defined by Chapter 42, Acts of the Forty-second Legislature, Regular Session, 1931 (Article 2592, Vernon's Annotated Civil Statutes of Texas).

The term "Resolution" as used herein and in the Bonds shall mean this resolution authorizing the Bonds.

The term "Bonds" or "New Series 1971 Bonds" shall mean the New Series 1971 Bonds authorized in this Resolution, unless the context clearly indicates otherwise.

The term "Old Series Outstanding Bonds" shall mean the outstanding bonds of the following issues:

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1959, dated July 1, 1959, originally issued in the amount of \$4,000,000, pursuant to a resolution adopted on July 9, 1959.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1960, dated July 1, 1960, originally issued in the amount of \$5,000,000, pursuant to a resolution adopted on July 13, 1960.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1961, dated July 1, 1961, originally issued in the amount \$6,000,000, pursuant to a resolution adopted on July 11, 1961.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1962, dated July 1, 1962, originally issued in the amount of \$5,000,000, pursuant to a resolution adopted on June 29, 1962.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1963, dated July 1, 1963, originally issued in the amount of \$4,000,000, pursuant to a resolution adopted on July 12, 1963.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1964, dated July 1, 1964, originally issued in the amount of \$4,000,000, pursuant to a resolution adopted on June 26, 1964.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1965, dated July 1, 1965, originally issued in the amount of \$6,000,000, pursuant to a resolution adopted on July 16, 1965.

Board of Regents of The University of Texas Permanent University Fund Bonds, Series 1966, dated July 1, 1966, originally issued in the amount of \$11,000,000, pursuant to a resolution adopted on July 8, 1966.

The term "New Series Additional Parity Bonds and Notes and "Additional Parity Bonds and Notes" shall mean the additional parity bonds and the additional parity notes permitted to be issued pursuant to Section 11 of the Resolution adopted on June

16, 1967, authorizing the issuance of Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1967, dated July 1, 1967.

The term "New Series Outstanding Bonds" shall mean the outstanding bonds of the following issues:

Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1967, dated July 1, 1967, originally issued in the amount of \$14,000,000, pursuant to a resolution adopted on June 16, 1967.

Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1968, dated July 1, 1968, originally issued in the amount of \$15,000,000, pursuant to a resolution adopted on June 25, 1968.

Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1969, dated July 1, 1969, originally issued in the amount of \$7,000,000, pursuant to a resolution adopted on June 20, 1969.

Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1970, dated July 1, 1970, originally issued in the amount of \$7,500,000, pursuant to a resolution adopted on July 10, 1970.

The term "Board" shall mean the Board of Regents of The University of Texas System.

2. That said Board's negotiable coupon bonds, to be designated the "BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1971," are hereby authorized to be issued and delivered in accordance with the Constitution and laws of the State of Texas in the principal amount of \$9,000,000 FOR THE PURPOSE OF CONSTRUCTING, EQUIPPING, OR ACQUIRING BUILDINGS OR OTHER PERMANENT IMPROVEMENTS FOR THE UNIVERSITY OF TEXAS SYSTEM, to the extent and in the manner provided by law.

3. That said bonds shall be dated JULY 1, 1971, shall be in the denomination of \$5,000 EACH, shall be numbered consecutively from 1 THROUGH 1800, and shall mature serially on JULY 1 in each of the years, and in the amounts, respectively, as set forth in the following schedule:

<u>YEARS</u>	<u>AMOUNTS</u>	<u>YEARS</u>	<u>AMOUNTS</u>
1972	\$360,000	1982	\$450,000
1973	360,000	1983	450,000
1974	360,000	1984	495,000
1975	360,000	1985	495,000
1976	405,000	1986	495,000
1977	405,000	1987	495,000
1978	405,000	1988	540,000
1979	405,000	1989	540,000
1980	450,000	1990	540,000
1981	450,000	1991	540,000

Said bonds may be redeemed prior to their scheduled maturities, at the option of said Board, on the dates stated, for the prices, and in the manner provided, in the FORM OF BOND set forth in

this Resolution; and further, said bonds shall be registrable as to principal only, at the option of the owner, in the manner provided in said FORM OF BOND.

4. That the bonds scheduled to mature during the years, respectively, set forth below shall bear interest from their date, until maturity or redemption, at the following rates per annum:

maturities 1972 through 1975,	5.50 %
maturities 1976 through 1983,	4.60 %
maturities 1984 through 19---,	4.75 %
maturities 1985 through 19---,	4.90 %
maturities 1986 through 1991,	5.00 %

Said interest shall be evidenced by interest coupons which shall appertain to said bonds, and which shall be payable on the dates stated in the FORM OF BOND set forth in this Resolution.

5. That said bonds and interest coupons shall be payable, shall have the characteristics, and shall be signed and executed (and said bonds shall be sealed), all as provided, and in the manner indicated, in the FORM OF BOND set forth in this Resolution.

6. That the form of said bonds, including the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be printed and endorsed on each of said bonds, the form of the aforesaid interest coupons which shall appertain and be attached initially to each of said bonds, and the form of endorsement for registration as to principal, shall be, respectively, substantially as follows:

FORM OF BOND:

NO. _____

\$5,000

UNITED STATES OF AMERICA
STATE OF TEXAS
BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM
PERMANENT UNIVERSITY FUND BOND
NEW SERIES 1971

ON JULY 1, 19___, the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM promises to pay to bearer, or if this bond be registered as to principal, then to the registered owner hereof, the principal amount of

FIVE THOUSAND DOLLARS

and to pay interest thereon, from the date hereof, at the rate of ___% per annum, evidenced by interest coupons payable JANUARY 1, 1972, and semi-annually thereafter on each JULY 1 and JANUARY 1 while this bond is outstanding. The principal of this bond and the interest coupons appertaining hereto shall be payable to bearer, in lawful money of the United States of America, without exchange or collection charges to the bearer, upon presentation

and surrender of this bond or proper interest coupon, at The Citizens National Bank of Waco, Waco, TEXAS, or, at the option of the bearer, at Morgan Guaranty Trust Co., NEW YORK, NEW YORK, or at Harris Trust and Savings Bank, CHICAGO, ILLINOIS, which places shall be the paying agents for this Series of bonds.

THIS BOND is one of a Series of negotiable coupon bonds dated JULY 1, 1971, issued in the principal amount of \$9,000,000 FOR THE PURPOSE OF CONSTRUCTING, EQUIPPING, OR ACQUIRING BUILDINGS OR OTHER PERMANENT IMPROVEMENTS FOR THE UNIVERSITY OF TEXAS SYSTEM, to the extent and in the manner provided by law, in accordance with the provisions of the Amendments to Section 18, Article VII of the Texas Constitution, adopted by a vote of the people of Texas on November 6, 1956, and on November 8, 1966.

ON JULY 1, 1981, OR ON ANY INTEREST PAYMENT DATE THEREAFTER, any outstanding bonds of this Series may be redeemed prior to their scheduled maturities, at the option of said Board, IN WHOLE, OR IN PART IN INVERSE NUMERICAL ORDER, for the price of par and accrued interest to the date fixed for redemption, plus a premium of 2% of the par value if redeemed on or prior to JANUARY 1, 1986, with such premium to be reduced on and after JULY 1, 1986, to 1%. At least thirty days before the date fixed for any such redemption the Board shall cause a written notice of such redemption to be published at least once in a financial publication published in the City of New York, New York. By the date fixed for any such redemption, due provision shall be made with the paying agents for the payment of par and accrued interest to the date fixed for redemption of the Bonds to be redeemed, plus the required premium. If the written notice of redemption is published, and if due provision for such payment is made, all as provided above, the bonds, which are to be so redeemed, thereby automatically shall be redeemed prior to maturity, and they shall not bear interest after the date fixed for redemption, and shall not be regarded as being outstanding except for the purpose of being paid by the paying agents with the funds so provided for such payment.

IT IS HEREBY certified, recited, and covenanted that this bond has been duly and validly issued and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the issuance and delivery of this bond have been performed, existed, and been done in accordance with law; and that the interest on and principal of this bond, and the Series of which it is a part, together with other New Series Outstanding Bonds, are equally and ratably secured by and payable from a lien on and pledge of the Interest of The University of Texas System in the income from the Permanent University Fund, as such Interest is apportioned by Chapter 42 of the Acts of the Regular Session of the 42nd Legislature of Texas, subject only and subordinate to the first lien on and pledge of said Interest heretofore created in connection with the Old Series Outstanding Bonds (as such terms are defined in the Resolution authorizing this Series of bonds).

SAID BOARD has reserved the right, subject to the restrictions referred to in the Resolution authorizing this Series of bonds, to issue additional parity bonds and notes which also may be secured by and made payable from a lien on and pledge of the aforesaid Interest of The University of Texas System in the income from the Permanent University Fund, in the same manner and to the same extent as this Series of bonds.

THIS BOND, at the option of the owner hereof, is registrable as to principal only on the books of the Registrar. For such purpose the Comptroller of The University of Texas System shall be the Registrar. If registered, the fact of registration shall be noted on the back hereof and thereafter no transfer of this bond shall be valid unless made on the books of the Registrar at the instance of the registered owner and similarly noted hereon. Registration as to principal may be discharged by transfer to bearer, after which this bond again may be registered as before. The registration of this bond as to principal shall not affect or impair the negotiability of the interest coupons appertaining hereto, which shall continue to be negotiable by delivery merely. Subject to said provisions for the registration of this bond as to principal only, nothing contained herein shall affect or impair the negotiability of this bond, and this bond shall constitute a negotiable instrument within the meaning of the laws of the State of Texas.

IN WITNESS WHEREOF, this bond and the interest coupons appertaining hereto have been signed with the facsimile signature of the Chairman of said Board and countersigned with the facsimile signature of the Secretary of said Board, and the official seal of said Board has been duly impressed, or placed in facsimile, on this bond.

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Secretary

Chairman

FORM OF REGISTRATION CERTIFICATE:

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.

I hereby certify that this bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

Comptroller of Public Accounts of
the State of Texas.

FORM OF INTEREST COUPON:

NO. _____

\$ _____

ON _____ 1, 19____, THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, promises to pay to bearer the amount shown on this interest coupon, in lawful money of the United States of America, without exchange or collection charges to the bearer, unless due provision has been made for the redemption prior to maturity of the bond to which this interest coupon appertains, upon presentation and surrender of this interest coupon, at The Citizens National Bank of Waco, Waco, TEXAS, or at the option of the bearer, at Morgan Guaranty Trust Co., NEW YORK, NEW YORK, or at Harris Trust and Savings Bank, CHICAGO, ILLINOIS, said amount being interest due that day on the bond, bearing the number hereinafter designated, of that issue of BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM PERMANENT UNIVERSITY FUND BONDS, NEW SERIES 1971, DATED JULY 1, 1971, BOND NO. _____.

BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

Secretary

Chairman

FORM OF ENDORSEMENT FOR REGISTRATION AS TO PRINCIPAL:

ENDORSEMENT FOR REGISTRATION AS TO PRINCIPAL

(NO WRITING TO BE MADE HEREON EXCEPT BY THE REGISTRAR DESIGNATED FOR THIS ISSUE OF BONDS)

It is hereby certified that, at the request of the owner of the within bond, I have this day registered it as to principal in the name of such owner, as indicated in the registration blank below, on the books kept by me for such purpose. The principal of this bond shall be payable only to the registered owner hereof named in the registration blank below, or his legal representatives, and this bond shall be transferable only on the books of the Registrar and by an appropriate notation in such registration blank. If the last transfer recorded on the books of the Registrar and in the registration blank below shall be to bearer, the principal of this bond shall be payable to bearer and it shall be in all respects negotiable. In no case shall negotiability of the interest coupons appertaining hereto be affected or impaired by any registration as to principal.

NAME OF REGISTERED OWNER	DATE OF REGISTRATION	SIGNATURE OF REGISTRAR
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. (a) It is hereby certified and recited that the Bonds authorized in this Resolution are Additional Parity Bonds permitted to be issued under Section 11 of the resolution of the Board adopted on June 16, 1967, authorizing the issuance of Board of Regents of The University of Texas System Permanent University Fund Bonds, New Series 1967, dated July 1, 1967, and that all conditions and requirements of said Section 11 have been or will be met prior to the delivery of the New Series 1971 Bonds herein authorized. The New Series 1971 Bonds and the New Series Outstanding Bonds are and shall be on a parity and in all respects of equal dignity.

(b) Pursuant to the provisions of the Amendments to Section 18 of Article VII of the Texas Constitution, approved by vote of the people of Texas on November 6, 1956, and on November 8, 1966, the New Series 1971 Bonds, the New Series Outstanding Bonds, and any other New Series Additional Parity Bonds and Notes hereafter issued, and the interest thereon, shall be and are hereby equally and ratably secured by and payable from a lien on and pledge of the Interest of the University in the income from the Permanent University Fund, as such Interest is defined in Section 1 of this Resolution, subject only and subordinate to the first lien on and pledge of said Interest heretofore created in connection with the Old Series Outstanding Bonds.

8. (a) The aforesaid resolution adopted June 16, 1967, authorizing the issuance of the Permanent University Fund Bonds, New Series 1967, has provided that the Comptroller of Public Accounts of the State of Texas shall establish in the State Treasury a fund to be known as "Board of Regents of The University of Texas System New Series Permanent University Fund Interest and Sinking Fund" (hereinafter called the "Interest and Sinking Fund"). In addition to the moneys required to be transferred to the credit of the Interest and Sinking Fund in connection with the New Series Outstanding Bonds, the Comptroller of Public Accounts of the State of Texas shall, for the benefit of the New Series 1971 Bonds, transfer to the Interest and Sinking Fund, out of The University of Texas System Available University Fund (the fund in the State Treasury to which is deposited the Interest of the University), on or before November 15, 1971, and semi-annually thereafter on or before May 15 and November 15 of each year while the New Series 1971 Bonds, or interest thereon, are outstanding and unpaid, the amount of interest or principal and interest which will become due on the New Series 1971 Bonds on the January 1 or July 1 next following. It is hereby recognized that the amounts necessary for the payment of principal and interest on the Old Series Outstanding Bonds will have been transferred on or before May 1 and November 1 of each year from the aforesaid Available University Fund to the interest and sinking fund heretofore created for the benefit of the Old Series Outstanding Bonds.

(b) To the end that money will be available at the places of payment in ample time to pay the principal of and interest on the Bonds as such principal and interest respectively

mature, on or before November 15, 1971, and semi-annually thereafter on or before May 15 and November 15 of each year while any of the New Series 1971 Bonds, or interest thereon, are outstanding and unpaid, the Comptroller of The University of Texas System, or such officer as may hereafter be designated by the Board to perform the duties now vested in such officer, shall perform the following duties:

(1) Prepare and file with the Comptroller of Public Accounts of the State of Texas (hereinafter called the "Comptroller of Public Accounts") a voucher based on which the Comptroller of Public Accounts shall draw a warrant against the Interest and Sinking Fund in the amount of the interest or principal and interest (when both are scheduled to accrue and mature) which will become due on the January 1 or July 1 next following.

(2) In the event New Series 1971 Bonds shall have been called for redemption on January 1 or July 1 next following of any year, prepare and file with the Comptroller of Public Accounts a voucher based on which the Comptroller of Public Accounts shall draw a warrant against funds of The University of Texas System legally available for such purpose in an amount sufficient to redeem the New Series 1971 Bonds thus called.

(c) Whenever a voucher is so filed with the Comptroller of Public Accounts, he shall make the warrant based thereon payable to the order of the paying agent situated in the State of Texas, specified in Section 6 hereof, and shall deliver such warrant to such paying agent on or before the December 1 or June 1 next following.

(d) The paying agent situated in the State of Texas, designated in Section 6 hereof, shall, out of moneys remitted to it under the provisions of this Section 8 hereof, and not otherwise, make available at the other paying agents specified in Section 6 hereof, funds sufficient to pay such of the New Series 1971 Bonds (whether payable to the bearer or payable to the registered owner thereof) and such of the coupons as are presented for payment, and said paying agent situated in the State of Texas by accepting designation as such paying agent agrees and is obligated to perform such service.

(e) The paying agents shall totally destroy all paid New Series 1971 Bonds and coupons, and shall furnish the Board with an appropriate certificate of destruction covering the New Series 1971 Bonds and coupons thus destroyed.

(f) The Board shall make provision with the paying agents for the rendition of a statement to The University of Texas System for any sums due such paying agents for services rendered in connection with the payment of the New Series 1971 Bonds and coupons by such paying agents, and the amount of such charges shall be paid by the Board from funds available for such purpose.

9. That all of the language, terms, provisions, covenants, and agreements of Sections 7 through 13, both inclusive, of the aforesaid resolution adopted June 16, 1967, authorizing the issuance of the Permanent University Fund Bonds, New Series 1967, are hereby referred to, adopted, and made applicable to the New Series 1971 Bonds authorized by this Resolution, for all purposes.

10. That after said New Series 1971 Bonds shall have been executed, it shall be the duty of the Chairman of the Board or some officer of the Board acting under his authority, to deliver said Bonds and all necessary records and proceedings to the Attorney General of Texas, for examination and approval by the Attorney General. After said Bonds shall have been approved by the Attorney General, they shall be delivered to the Comptroller of Public Accounts of the State of Texas for registration. Upon registration of said Bonds, the Comptroller of Public Accounts (or a deputy lawfully designated in writing to act for the Comptroller) shall manually sign the Comptroller's Registration Certificate prescribed herein to be printed and endorsed on each of said Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on each of said Bonds.

11. That said New Series 1971 Bonds are hereby sold and shall be delivered to a syndicate headed by Drexel Firestone, Incorporated, Blyth & Co., Inc., Joint Managers, for the principal amount thereof and accrued interest to the date of delivery, plus a premium of \$8,955.00.

12. That the Board hereby covenants that the proceeds from the sale of the New Series 1971 Bonds will be used as soon as practicable for the purpose for which said bonds are issued; that such proceeds will not be invested in any securities or obligations except for the temporary period pending such use; and that such proceeds will not be used directly or indirectly so as to cause all or any part of said bonds to be or become "arbitrage bonds" within the meaning of Section 103(d) of the Internal Revenue Code of 1954, as amended, or any regulations or rulings prescribed or made pursuant thereto.

13. That it is hereby officially found and determined that the meeting at which this Resolution was adopted was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Vernon's Ann. Civ. St. Article 6252-17.

ADJOURNMENT OF JOINT MEETING. --The joint meeting of the Board of Regents of The University of Texas System and the Board of Directors of The Texas A&M University System was adjourned at 9:20 a. m. since the purpose for which the meeting had been called had been accomplished.

RECESS, COMMENDATION OF REGENT ERWIN, AND REPORT ON 62ND LEGISLATURE. --The Board of Regents as a separate and distinct board stood in recess in order that the Standing Committees and the Committee of the Whole might transact the business on their agendas. However, immediately before the meeting of the Buildings and Grounds Committee and prior to asking Regent Erwin to present a summary of legislation passed by the 62nd Legislature affecting The University of Texas System, Chairman Peace commended Regent Erwin. The sentiments expressed by him were the consensus of the entire Board. Chairman Peace spoke as follows:

I want to say publicly that I do not know of any more outstanding job done by anyone than that done by Mr. Erwin in the most recent session of the Legislature with regard to legislation in which higher educational institutions are interested. His dedication, devotion and effectiveness are beyond comparison to anything I have ever seen done under the most adverse circumstances. I for one, as Chairman of the Board, should like to give commendation and recognition to the very distinguished action on the part of the former Chairman, Mr. Erwin.

Regent Williams added that the efforts of Regent Erwin had benefited not only The University of Texas System but all educational institutions in Texas.

To the same statement Regent Kilgore noted that in this particular year, the tax on education was more severe than at any other time in this century, that the State of Texas had the tightest budget squeeze in its history, but that higher education was well treated by the Legislature and largely as a result of Mr. Erwin's efforts.

In response to Chairman Peace's request, Regent Erwin summarized legislation that had been enacted by the 62nd Legislature of the State of Texas which affected The University of Texas System. A report of the legislation was distributed, but in this summary, Regent Erwin related that three new institutions were added to The University of Texas:

- (1) The University of Texas Nursing School at Fort Worth (to be operated in conjunction with Peter Smith Hospital)
- (2) The University of Texas Nursing School at Houston (to be operated in conjunction with Hermann Hospital), and
- (3) A Speech and Hearing Institute in Houston (to be operated as the Division of Communicative Disorders of the Graduate School of Biomedical Sciences)

Regent Erwin reported that efforts were unsuccessful in getting four year status for The University of Texas at Dallas and The University of Texas of the Permian Basin and getting the elimination of the degree requirement of Texas History and U. S. Government.

5:20 P. M. --Following the meetings of the Standing Committees and the Committee of the Whole, the Board of Regents reconvened at 5:20 p. m. in Room 212, Main Building, The University of Texas at Austin, Austin, Texas, with the same attendance as at the morning session.

The meeting was called to order by Chairman Peace.

APPROVAL OF MINUTES OF APRIL 23, 1971. --The Minutes of the regular meeting of the Board of Regents of The University of Texas System held in Austin on April 23, 1971, were approved without objection in the form distributed by the Secretary and recorded in Volume XVIII, beginning with Page 1898 .

BOARD OF REGENTS: AMENDMENT TO REGENTS' RULES AND REGULATIONS, PART ONE, CHAPTER I, SECTION 7 (CREATION OF NEW STANDING COMMITTEE SYSTEM OPERATIONS AND PROCEDURES). -- Chairman Peace presented on first reading that there be added to the Standing Committees of the Board of Regents a new committee to be known as System Operations and Procedures.

Upon motion of Regent Erwin, seconded by Regent Kilgore, and by unanimous vote, the necessary rules were waived and the Regents' Rules and Regulations, Part One, Chapter I, Section 7 was so amended to be effective immediately. The sections of the Regents' Rules and Regulations, Part One, Chapter I, were authorized to be so conformed and the composition and duties of the newly created committee will be reported as an item for the record at the meeting on July 30, 1971.

REPORT OF STANDING COMMITTEES

The meetings of the Standing Committees were conducted in open session, and the reports thereof are set out below:

REPORT OF EXECUTIVE COMMITTEE (Pages 16-21). -- Committee Chairman Garrett filed the following report of the Executive Committee and moved its adoption. Without objection, the report was received and the recommendations therein were approved:

Since the last report of the Executive Committee on April 23, 1971, the following recommendations of the Administration were circulated to the members of the Executive Committee and no exceptions to these items were registered unless otherwise indicated. These items were submitted this morning and given formal approval by the Executive Committee:

1. U. T. Austin: Minutes of the Meeting of the Athletics Council held February 20, 1971 (28-M-70). --It is recommended by System Administration and President ad interim Jordan that the minutes of the meeting of the Athletics Council at The University of Texas at Austin held February 20, 1971, be approved.
2. U. T. Austin: Minutes of the Meetings of the Board of Directors of Texas Student Publications, Inc., held March 23, April 2, April 14 (12:30 p. m.), April 14 (3:00 p. m.) and April 20, 1971 (29-M-70, 33-M-70, 34-M-70, 35-M-70 and 36-M-70). --System Administration and President ad interim Jordan recommend that the minutes of the meetings of the Board of Directors of Texas Student Publications, Inc., at The University of Texas at Austin held on March 23, April 2, April 14 (12:30 p. m.), April 14 (3:00 p. m.) and April 20, 1971, (Items 29-M-70, 33-M-70, 34-M-70, 35-M-70 and 36-M-70) be formally approved as set out below:

Minutes of Meeting held on March 23, 1971 (29-M-70) - Approve with the following exceptions:

Item III. Adoption of Wording of TSP Handbook Involving Texan Intermediate Appeals Committee. (Disapproved)

Item XVII. Proposal to U. T. Regents Concerning TSP Charter. This item is for information only since the review of the proposed TSP Charter has not been completed by the Administration.

Minutes of Meeting held on April 2, 1971 (33-M-70) - Approve with the "express understanding that Item II (set out below) is for budget planning purposes, and may be amended following completion of the TSP Study by my (Chancellor's) office:"

Item II. Consideration of Blanket Tax Request:

Motion: Jones moved, seconded by Bonjean, that \$4.10 be requested as The Daily Texan's share of the 1971-72 Blanket Tax. This motion was passed by unanimous approval.

Minutes of Meeting held on April 14, 1971, at 12:30 p. m.
(34-M-70) - Approve with the following exceptions:

Items IA and IB. Consideration of TSP Charter Changes. The following actions rescind actions which have been previously disapproved by Regental action in Executive Committee Items 27-M-70 and 29-M-70, respectively. It is recommended that no further action be taken:

Item IA. Rescission of action of the TSP Board on January 27, 1971, Item XV, which proposed a revised TSP Charter.

Item IB. Rescission of the TSP Board action of March 24, 1971, Item XVII, which proposed that the Regents either take final action on the proposed TSP Charter at their April 23 meeting or renew the present charter for a period of three months.

Item IC. Request for an amendment to the present TSP Charter changing the duration clause to read "The existence of this corporation shall be perpetual." It is recommended that this item be disapproved since the entire matter of the Texas Student Publications, Inc., is under study.

Items IIA and IIB. Proposal Concerning TSP Funds. The following items were approved by separate action of the Board of Regents at their meeting on April 23, 1971, and are excluded from consideration here:

Item IIA. Plan for the expenditure of up to \$490,000 of investment presently owned by TSP. . .

Item IIB. Authorize the accumulation of an additional sum of \$70,000 from future earnings of TSP to complete the furnishing and equipment of the new building.

Item III. Discussion on Committee of Editors to Study The Daily Texan and the Journalism Department. This item is for information only and no action is required.

Item IV. Discussion on Urgency and Importance of TSP Board Action. The following item is for information only and no action is required. It should be noted that a progress report was presented by Chancellor LeMaistre at the Regents' meeting on April 23, 1971:

Item IV. Consideration of urgency of TSP Board action: Request that the action of the TSP Board at this meeting be brought before the Regents at their April 23 meeting as a special item.

Minutes of Meeting held on April 14, 1971, at 3:00 p. m.
(35-M-70) - Approve these minutes.

Minutes of Meeting held on April 20, 1971 (36-M-70) -
 Approve with the following exceptions:

Item IV. Discussion on the TSP Charter. It is recommended that the following item be disapproved:

Item IV. Approve the filing in the office of the Secretary of State an amendment making the TSP Charter in its present form perpetual, if no action is taken extending the TSP Charter at the April 23 meeting of the Regents.

Item X. Proposals by Lyke Thompson. It is recommended that the following be disapproved:

XA. Motion: Thompson moved, and it was seconded, that the TSP Board go on record as endorsing the Journalism Faculty report...

XB. Motion: Thompson moved, and it was seconded, that the TSP Board create a committee to study the relationship of The Daily Texan and the Journalism Department, particularly the journalism faculty report and its recommendations; and that the TSP Board now approve IN PRINCIPLE, but not in final form, these six ideas that shall follow...

XC. Additional proposals...

XD. Composition of committee...

3. U. T. Austin: Minutes of the Meetings of the Board of Directors of the Texas Union held March 4, 18 and 19, March 25 and April 15, 1971 (30-M-70, 31-M-70 and 32-M-70). --It is recommended by System Administration and President ad interim Jordan that the minutes of the meetings of the Board of Directors of the Texas Union Board at The University of Texas at Austin held on March 4, 18 and 19, March 25 and April 15, 1971, (Items 30-M-70, 31-M-70 and 32-M-70) be formally approved as set out below:

Minutes of Meeting held on March 4, 1971 (30-M-70) - Approve with the exception of the following item:

Item III. Adoption of 1971-72 Budget. A recommendation will be presented after the Texas Union budget is processed through normal fiscal channels.

Minutes of Meeting held on March 18, 1971 (30-M-70) - Disapprove these minutes which action relates to the boycott on Texas Union Dining Services because of the use of non-union lettuce.

Minutes of Meeting held on March 19, 1971 (30-M-70) - Approve these minutes.

Minutes of Meeting held on March 25, 1971 (31-M-70) - Approve these minutes.

Minutes of Meeting held on April 15, 1971 (32-M-70) - Approve these minutes.

4. U. T. Austin, U. T. Arlington and Galveston Medical Branch: Amendments to 1970-71 Budgets (8-B-70). --Upon recommendation of the appropriate institutional head, concurred in by System Administration, it is recommended that the following amendments to the 1970-71 Budgets for The University of Texas at Austin, The University of Texas at Arlington and The University of Texas Medical Branch at Galveston be approved (Pages 19-20).

Sources of Funds - Departmental Appropriations
(Unless Otherwise Specified)

(All rates set out below are full time rates; salary rate indicates a 12 months' full time rate and academic rate indicates a 9 months' full time rate.)

The University of Texas at Austin

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
34.	Office of the President Transfer of Funds	From: Unappropriated Balance - General Funds	To: Office of the President - Administrative Salaries	
	Amount of Transfer	\$ 25,000	\$ 25,000	---
<p>This transfer will fund the salary effective March 1, 1971 of Dr. Lorene Rogers who has been assigned to serve as Assistant to President-Elect Stephen H. Spurr, and to fund the salary of President-Elect Spurr for the period May 1 through June 30.</p>				
35.	Division of Extension - Extension Teaching and Field Service Bureau Transfer of Funds	From: Unappropriated Balance via Estimated Income from Extension Fees	To: Extension Classes and Consultant Services	
	Amount of Transfer	\$220,000	\$220,000	---
<p>This transfer funds the instructional costs for Spring and Summer Terms in evening classes and field courses. The source of funding is from tuition fees and other income related to the activity.</p>				
36.	Physical Plant - Traffic and Security Transfer of Funds	From: Unappropriated Balance - General Funds	To: Traffic and Security	
	Amount of Transfer	\$ 16,000	\$ 16,000	---
<p>The transfer provides funds for paying guards, including overtime, during the period in which there were anticipated certain campus disruptions.</p>				
37.	Office of Accounting Transfer of Funds	From: Unappropriated Balance	To: Office of Accounting - Classified Salaries \$ 9,048.00 Wages 9,152.10	
	Amount of Transfer	\$ 18,200.10	<u>\$18,200.10</u>	

The University of Texas at Austin (Continued)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
38.	Student Financial Aids Office			
	Transfer of Funds	From: Unappropriated Balance	To: Student Financial Aids --	
			Wages	\$22,896.68
			Maintenance and Operation	19,199.77
			Travel	1,000.00
	Amount of Transfer	\$ 43,016.45		<u>\$43,016.45</u>

Upon the recommendation of the State Auditor, administrative expenses recovered from the National Defense Student Loan Program are being transferred from the Restricted Current Funds group of accounts to the general operating budget. The transfer from the Balance is via income being moved to cover these expenditures that are now being reported in Current General Funds. (Items 37 and 38.)

The University of Texas at Arlington

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
8.	Auxiliary Enterprises - Student Activities			
	Transfer of Funds	From: Student Activities Unappropriated Balance	To: Student Activities - Travel	
	Amount of Transfer	\$ 652	\$ 652	---

The Drill Team was invited to participate in national competition held in Washington, D. C. Travel funds for this trip were not anticipated in the original budget.

The University of Texas Medical Branch at Galveston

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
12.	Plant Funds - Parking Lots			
	Transfer of Funds	From: Unappropriated Surplus - Parking Facilities	To: Parking Lots - Construction Account	
	Amount of Transfer	\$ 30,000	\$ 30,000	---

With the construction of the Administration Building on the corner of University Boulevard and Mechanic Street, 160 parking spaces were lost.

Plans and specifications have been prepared and bids received for the construction of a new parking lot between 11th and 12th Streets and from Texas Avenue to the alley between Texas Avenue and Mechanic Street or immediately south of the Animal Care Center.

The low bid of \$29,806.00 has been received from Galco Paving Company, Inc., League City, Texas, and it is, therefore, recommended that \$30,000.00 be transferred from Unappropriated Surplus - University Parking Facilities to Plant Funds for the construction of this parking facility.

5. U. T. El Paso: Amendment to 1970-71 Budget Referred to Committee of the Whole (Exception to 8-B-70). --The following amendment to the 1970-71 Budget for The University of Texas at El Paso was referred to and approved by the Committee of the Whole:

Sources of Funds - Departmental Appropriations
(Unless Otherwise Specified)

(All rates set out below are full time rates: salary rate indicates a 12 months' full time rate and academic rate indicates a 9 months' full time rate.)

Item No.	Explanation	Present Status	Proposed Status	Effective Dates
5.	Auxiliary Enterprises- Student Publications Transfer of Funds	From: Student Services Fees Unappropriated Balance	To: Student Publications- Administration <u>Prospector</u> <u>Flowsheet</u>	\$ 1,650 4,675 6,850
	Amount of Transfer	\$ 13,175		<u>\$13,175</u>

The Student Publications budget includes four publications and an administration activity. The above transfer adds funds for additional clerical expenses related to administration. The transfer also funds a deficiency due to under-realized advertising income for The Prospector and under-realized subscription income for The Flowsheet.

This item, which had been excepted, provoked discussion in the Committee of the Whole regarding the quality of The Prospector, the student publication at The University of Texas at El Paso, However, it was noted that this publication comes under the purview of the committee of consultants authorized by the Board of Regents on January 29, 1971, and named by Chancellor LeMaistre to study student publications at U. T. Austin, U. T. El Paso and U. T. Arlington. It was therefore moved and carried that this same committee which has been studying Texas Student Publications, Inc., also undertake a study of The Prospector.

REPORT OF ACADEMIC AND DEVELOPMENTAL AFFAIRS COMMITTEE
(Pages 22-23). --The following report of the Academic and Developmental Affairs Committee was filed by Committee Chairman Kilgore. This report was adopted without objection:

U. T. Arlington: Adoption of Maverick as Theme. --President Harrison reported that a clear majority of the student body had voted that "Maverick" be the new theme for U. T. Arlington effective immediately. Upon President Harrison's recommendation, the theme of "Maverick" was adopted by the Board with Regents Erwin and McNeese requesting to be recorded as voting "No."

Committee Chairman Kilgore stated that all items had been approved in open session with the exception of two, namely: (a) Chancellor's Docket No. 48 and (b) Student Activities Fees. These two items were then considered and approved as set out below:

- (a) U. T. System: Chancellor's Docket No. 48. --Chancellor's Docket No. 48 was circulated to all members of the Board. Since there were several exceptions to items in the medical institutions, the docket was referred to the Committee of the Whole for discussion of these personnel matters. Upon motion of Regent Erwin, the docket was approved without objection. It is attached (Attachment No. 1) following Page 144 and made a part of these Minutes.
- (b) U. T. System - Standardization of Names of All Student Activities Fees (Subject to Control as State Funds) and U. T. Austin - Establishment of the 1971-72 Student Activities Fee (Optional) Formerly Called Blanket Tax and Allocation Thereof. -- Committee Chairman Kilgore proposed that consideration of the 1971-72 Student Activities Fee (optional) be passed over until the July meeting of the Board of Regents so that President Spurr would have an opportunity for further discussions relating to this fee. However, it was pointed out that if the matter were put over until July 30 (the date to which the Regents' meeting had been changed from July 16) there would not be sufficient time to get the Student Activities Fee identification card printed for fall registration.

Chairman Peace pointed out that approximately one year ago this precise issue came up, and the majority of the Board was of the opinion that probably all items to which this fee was allocated should be made optional. However, at the time, because of commitments that had already been made and because of the plea by the Students' Association, consideration to make these items optional was postponed for one year.

Upon motion of Regent Erwin, seconded by Regent McNeese, it was ordered that consideration of the Student Activities Fee be not postponed. Regent (Mrs.) Johnson and Regent Kilgore voted "No."

A detailed discussion of the establishment of this fee ensued. Thereafter, upon motion of Regent Erwin, seconded by Regent McNeese, the following were approved:

- (1) Upon recommendation of Chancellor LeMaistre, all component institutions were directed to designate uniformly all student service fees and blanket taxes hereafter as Student Activities Fee for the respective institution, whether they are optional fees or required fees. It was noted for the record that all funds collected under student activities fees are subject to control as State funds, pursuant to the ruling of the State Auditor.

It was further ordered that all funds collected as student activities fees be subject to control as other State funds and that after the income from such student activities fees is determined, no funds may be expended without the prior approval of a budget for the actual use of such funds by the respective institutional head, and that all such funds remain on the books of the respective institution to be disbursed in accordance with standard provisions for the disbursement of other State funds.

- (2) Upon recommendation of President ad interim Jordan, concurred in by Chancellor LeMaistre, the 1971-72 Student Activities Fee (optional), including the Spouse Activities Fee, at The University of Texas at Austin and the allocation thereof were adopted as follows:

	<u>Student Activities Fee</u>	<u>Spouse Activities Fee</u>
Athletic Council	\$ 13.00	\$ 20.00
Texas Student Publications, Inc.	4.10	---
Cultural Entertainment Committee	3.50	3.50
Student Government -- To be allocated as follows:		
Salaries and Office Expenses	\$.60	
Election Commission	.05	
Office of Student Attorney	<u>1.00</u>	1.65
Senior Cabinet for Allocation to Student Councils	<u>.25</u>	---
Total Activities Fee (Optional)	<u>\$ 22.50</u>	<u>\$ 23.50</u>

Regent Garrett said that he voted for this proposal on the basis that it provides the same amount of money that the Students' Association had for 1970-71.

REPORT OF BUILDINGS AND GROUNDS COMMITTEE (Pages 24-34). -- Committee Chairman Erwin filed the following report of the Buildings and Grounds Committee. This report was received and the recommendations therein were approved without objection:

1. U. T. Austin: Additional Appropriation for Forty Tennis Courts and Parking Lot. --With respect to the Forty Tennis Courts and Parking Lot therefor at The University of Texas at Austin, the following resolution was adopted:

WHEREAS, On December 12, 1969, (a) a contract was awarded to S & G Construction Company for Forty Tennis Courts and Parking Lot at The University of Texas at Austin in an area between 45th Street and 51st Street on the South and North, respectively, and East of Guadalupe; (b) \$385,000 was appropriated from Permanent University Fund Bond proceeds to cover the expenses of this project, and

WHEREAS, This construction is nearing completion and it has now been determined that to protect the base material and the court surfaces, plumbing modifications (including area drains) are required and that sidewalks and two additional stairs with handrails are needed:

BE IT RESOLVED, That an appropriation of \$3,600 be authorized from PUF Bond proceeds to cover the cost of the plumbing modifications and to construct 140 linear feet of sidewalks and two additional stairs with handrails.

2. U. T. Austin: Approval of Final Plans and Specifications for Renovation of Brackenridge, Roberts, and Prather Halls (Men's Dormitories). --The firm of Page, Southerland, and Page of Austin, Texas, Project Architect for the renovation of Brackenridge, Roberts, and Prather Halls (men's dormitories) at The University of Texas at Austin, was authorized on March 12, 1971, to proceed with plans and specifications for this renovation project. The working drawings and specifications so prepared were presented and approved by the Board with authorization to the Executive Director of the Office of Facilities Planning and Construction to advertise for bids to be presented to the Board of Regents or the Executive Committee for consideration at a later date. These final plans and specifications involve general renovation of the dormitories at an estimated overall project cost of \$200,000.
3. U. T. Austin: Ratification of Special Committee to Study Feasibility for New Facility for Intercollegiate Basketball and Other Activities. --The Board ratified the action taken on April 23, 1971, wherein the Chairman of the Board of Regents was authorized to appoint a committee to study the feasibility for constructing a new facility for intercollegiate basketball and other activities.

In compliance with this authorization, Chairman Peace named to

the committee the following:

Regent McNeese, Chairman
Regent Erwin
Regent Williams

This item was not listed on the agenda for the meeting on April 23, 1971, and hence it was submitted for ratification.

4. U. T. El Paso: Approval of Final Plans and Specifications for Fine Arts Complex (Previously Referred to Either as a Building or a Center). --The final plans and specifications for the Fine Arts Complex (previously referred to either as a Building or a Center) at The University of Texas at El Paso were received and approved. The Executive Director of the Office of Facilities Planning and Construction was authorized to advertise for bids subject to granting agency clearances to be presented to the Board or the Executive Committee for consideration at a later date. These plans had been prepared by the Project Architect, Marmon and Mok and Stephen W. Kent, and cover a building of approximately 186,000 gross square feet at an estimated total project cost of \$7,000,000. It was noted that the total project cost had been increased from \$6,650,000 due to increased costs of rock excavation, electrical equipment, theater performance system and additional plumbing and mechanical requirements.

With respect to the financing of this project, it was also noted that an application has been made for an interest subsidy grant, and that it is contemplated \$1,000,000 will come from Permanent University Fund Bond proceeds and the remainder from Combined Fee Revenue Bond proceeds from bonds already issued and bonds to be issued later this year.

5. U. T. El Paso: For Fine Arts Complex, Authorization (a) to Install Isolation Valves for Chilled and Hot Water Lines and (b) to Relocate Southern Union Gas Company Line and (c) for Additional Appropriation. --In order to clear the site and make available certain utilities for the construction of the Fine Arts Complex at The University of Texas at El Paso, approval was given to the following:
- a. Brown-Olds Corporation was authorized to install isolation valves in both chilled and hot water lines for extension to the site from the Central Plant at an estimated cost of \$4,575.
 - b. Southern Union Gas Company was authorized to relocate its present gas line at an estimated cost of \$3,800.
 - c. An appropriation of \$15,000 was authorized from Combined Fee Revenue Bonds at U. T. El Paso to cover the installation of the isolation valves, the relocation of the gas line, Engineer's fees (estimated at \$2,120 for engineering services in connection with the relocation of a sanitary sewer line authorized at the April 23, 1971, meeting) and miscellaneous items in connection with the preparation of the site.

6. U. T. Arlington: Award of Contract to Kettle Construction Company for Site Development for University Hall Plaza and UTA Park (Landscape Development of Two Sites) and Additional Appropriation Therefor. -- For landscape development for University Hall Plaza and UTA Park (formerly referred to as Landscape Development of Two Sites) at The University of Texas at Arlington, a contract was awarded to the low bidder, Kettle Construction Company, Fort Worth, Texas, in the amount of \$73,159.

An additional appropriation of \$2,200 was authorized from Account No. 85-9799-9904 - U. T. Arlington - Unallocated Proceeds - Local Funds. Previously appropriations totaling \$79,000 had been made for this project but in order to cover this contract award, Architect's fees thereon and miscellaneous expenses, this additional appropriation was necessary.

7. U. T. Dallas: Approval of Preliminary Plans and Outline Specifications for Buildings, Site Development and Utility Distribution System, Appointment of The Oglesby Group, Inc., of Dallas, Texas, and Harwood K. Smith and Partners of Dallas, Texas, as Associated Architects, and Additional Appropriation for Architects' Fees. -- By means of special renderings and a model, President Jordan presented the basic plan for The University of Texas at Dallas. Thereafter, the preliminary plans and outline specifications for new buildings, utility distribution system and site development were approved. These plans and specifications were authorized by the Board of Regents on December 4, 1970, and were prepared by the associated architects (The Oglesby Group, Inc., Dallas, Texas, and Harwood K. Smith and Partners, Dallas, Texas). The plans and specifications cover new buildings of approximately 470,000 gross square feet, site development and utility distribution at a total estimated project cost of \$24,032,000.

The firms of The Oglesby Group, Inc., of Dallas, Texas, and Harwood K. Smith and Partners of Dallas, Texas, as associated architects, were appointed Architects for this project with authorization to prepare working drawings and specifications to be presented to the Board of Regents for approval at a later meeting.

An appropriation of \$682,500 was authorized from Permanent University Fund Bond proceeds as an advance to cover miscellaneous expenses and Engineer's and Architects' fees through the working drawing stage. Previously, an advance of \$200,000 was authorized from PUF Bond proceeds, and it is understood that both advances are to be repaid from the sale of bonds authorized by House Bill No. 278 of the 62nd Legislature, R. S.

8. U. T. Dallas: Approval of Final Plans and Specifications for Science Building (Previously Referred to as 81,000 Square Foot Facility and as West Annex to Founders Building Which Had Been Referred to Previously as Main Building). -- Final plans and specifications for the Science Building (previously referred to as 81,000 Square Foot Facility and as West Annex to Founders Building which had been referred to previously as Main Building) at The University of Texas at Dallas were approved with authorization to the Executive

Director of the Office of Facilities Planning and Construction to advertise for bids to be presented to the Board of Regents or the Executive Committee for consideration at a later date. These plans prepared by the Project Architect, Harwood K. Smith and Partners, cover a building of approximately 81,680 gross square feet at an estimated total project cost of \$2,798,000.

9. U. T. Dallas, U. T. San Antonio and U. T. Permian Basin: Authorization to Prepare Specifications and Criteria and Secure Bids for Central Heating and Chilled Water Plants. --With respect to providing steam and chilled water services at The University of Texas at Dallas, The University of Texas at San Antonio and The University of Texas of the Permian Basin, the following resolution was adopted:

WHEREAS, The guidelines for the development of The University of Texas at Dallas, The University of Texas at San Antonio and The University of Texas of the Permian Basin provide that steam and chilled water services be furnished through service agreements with companies engaged in the energy field, and

WHEREAS, Planning on the U. T. Dallas, U. T. San Antonio and U. T. Permian Basin campuses has developed to the point where provisions of a service agreement and lease agreement can be determined:

BE IT RESOLVED:

- a. That chilled water and steam be provided from a central plant located on or adjacent to each campus comparable to the present programs established at U. T. El Paso, Dallas Medical School, San Antonio Medical School and Galveston Medical Branch and planned for U. T. Arlington.
- b. That the Executive Director of the Office of Facilities Planning and Construction (1) have prepared specifications and criteria for such a plant, the building to be constructed, equipped and operated by an independent utility company or firm and (2) secure bids and/or proposals from all qualified interested parties for the construction and operation of a central plant for steam and chilled water including the rates to be charged for this service. The bids and/or proposals received will be submitted to the Board of Regents for consideration at a later meeting, subject to working out the legal details involved.

It was noted that in order to furnish heat and chilled water services, the University must either make a large capital expenditure for this purpose or make an agreement with someone else to build a plant and sell these services to the respective component institution. The latter has been done in all cases except U. T. Austin and U. T. Arlington.

10. Dallas Medical School: Approval of Revised Temporary Easement to Dallas Power and Light Company Across Certain Land in Block 6057. --Approval was given to revise the temporary easement granted to the Dallas Power and Light Company and Southwestern Bell Telephone Company on July 10, 1970. This easement was to reroute some existing utility overhead lines across a portion of the William B. Coates Survey, Abstract 236, City of Dallas, on the campus of The University of Texas Southwestern Medical School at Dallas and it is understood that these overhead lines are temporary and will be removed when the underground utility line is installed at the Dallas Medical School. Chairman Peace was authorized to execute the revised easement which changes the location of one pole after the document is approved as to content by the Executive Director of Facilities Planning and Construction and as to legal form by a University attorney.
11. Dallas Medical School: Authorization for Building Machine Room Modifications and Connections to Central Utility Plant, Appointment of Clarence Gilmore and Associates Engineer, and Appropriation for Engineer's Fees. --The firm of Clarence Gilmore and Associates, Inc., Consulting Engineers of Dallas, Texas, was engaged to prepare plans and specifications and cost estimates for connecting lines and necessary modifications inside the existing mechanical rooms for chilled water and steam services from the Central Utility Plant under construction to the existing buildings of The University of Texas Southwestern Medical School at Dallas on an hourly basis at a fee not to exceed \$12,000. An appropriation of \$12,000 for this purpose was authorized from Dallas Medical School - Phase I Expansion Program - Allotment Account - Permanent University Fund Bond proceeds.
12. Dallas Medical School: Approval of Preliminary Plans and Outline Specifications for Remodeling of Cary Building. --Preliminary plans and outline specifications for remodeling the Cary Building at The University of Texas Southwestern Medical School at Dallas were approved. These plans, authorized by the Board of Regents on January 31, 1969, were prepared by the Project Architect, Harper and Kemp, and cover remodeled space of approximately 55,437 gross square feet at a total estimated project cost of \$2,100,000. It was noted that grant applications have been filed on this cost basis but that instructions to the Architect to proceed with working drawings will not be issued until grant determination and other funding is assured.
13. U. T. San Antonio: Approval of Preliminary Plans and Outline Specifications for Buildings, Site Development and Utility Distribution System, Appointment of Ford, Powell, and Carson of San Antonio, Texas, and Bartlett Cocke and Associates of San Antonio, Texas, as Associated Architects, and Additional Appropriation for Architects' Fees. --President Templeton presented renderings and a model of the proposed University of Texas at San Antonio, emphasizing that the plan would be native to San Antonio -- materials, architecture, trees. Thereafter, preliminary plans and outline specifications for new buildings, utility distribution system and site development at U. T. San Antonio were approved. These plans and

specifications were authorized by the Board of Regents at their meeting on December 4, 1970, and were prepared by the associated architects (Ford, Powell, and Carson, San Antonio, Texas, and Bartlett Cocke and Associates, San Antonio, Texas). The plans and specifications cover new buildings of approximately 694,000 gross square feet, site development and utility distribution at a total estimated project cost of \$33,522,000.

The firms of Ford, Powell, and Carson of San Antonio, Texas, and Bartlett Cocke and Associates of San Antonio, Texas, as associated architects, were appointed Architects for this project with authorization to prepare working drawings and specifications to be presented to the Board of Regents for approval at a later meeting.

An appropriation of \$910,000 was authorized from Permanent University Fund Bond proceeds as an advance and from funds appropriated by the 61st Legislature to U. T. San Antonio to cover miscellaneous expenses and Engineer's and Architects' fees through the working drawing stage. The advance is to be repaid from other funds available to U. T. San Antonio. Previously, funds in the amount of \$260,000 were authorized from funds appropriated by the 61st Legislature.

14. San Antonio Medical School: Authorization to Approve an Agreement Between Central Energy Corporation and the United States of America with Respect to Chilled Water and Steam for the Veterans Administration Hospital in the San Antonio Medical Center. --

WHEREAS, There now exists between the Board of Regents of The University of Texas System and Central Energy Corporation, a Texas corporation, a customer agreement dated October 6, 1967, together with a lease agreement of the same date, relating to the construction, maintenance and operation of a facility for the production of chilled water and steam for The University of Texas Medical School at San Antonio;

WHEREAS, These agreements provide that Central Energy Corporation can increase the capacity of the plant to provide service to others if approved by the University, and

WHEREAS, Central Energy Corporation and the United States of America are entering into an agreement for Central Energy Corporation to supply chilled water and steam to the Veterans Administration Hospital in the San Antonio Medical Center:

BE IT RESOLVED, That the Deputy Chancellor for Administration be authorized to approve the agreement between Central Energy Corporation and the United States of America after the agreement has been approved as to content by the Executive Director of the Office of Facilities Planning and Construction and as to form by a University of Texas System attorney.

15. U. T. Permian Basin: Approval of Preliminary Plans and Outline Specifications for Buildings, Site Development and Utility Distribution System (Phase I), Appointment of Jessen, Jessen, Millhouse, Greeven, Crume, Day and Newman of Austin, Texas, and Peters and Fields of Odessa, Texas, Associated Architects, and Additional Appropriation for Architects' Fees. -- President Amstead by use of renderings and a model presented Phase I of the plan for The University of Texas of the Permian Basin. Preliminary plans and outline specifications for new buildings, site development and utility distribution system (Phase I) to accommodate 1,000 students at U. T. Permian Basin were approved. These plans and specifications were authorized by the Board of Regents on January 29, 1971, and were prepared by the Project Architects (Jessen, Jessen, Millhouse, Greeven, Crume, Day and Newman). The plans and specifications cover new buildings of approximately 222,300 gross square feet, site development and utility distribution system at a total estimated project cost of \$11,500,000.

The firms of Jessen, Jessen, Millhouse, Greeven, Crume, Day and Newman of Austin, Texas, and Peters and Fields of Odessa, Texas, associated architects, were appointed Architects for this project with authorization to prepare working drawings and specifications to be presented to the Board of Regents for approval at a later meeting.

An appropriation of \$402,500 was authorized from Permanent University Fund Bond proceeds as an advance and from funds appropriated by the 61st Legislature to U. T. Permian Basin to cover miscellaneous expenses and Engineer's and Architects' fees through the working drawing stage. The advance is to be repaid from the sale of bonds authorized by House Bill No. 278, 62nd Legislature, R.S. Previously, funds in the amount of \$115,000 were authorized from funds appropriated by the 61st Legislature for U. T. Permian Basin.

16. U. T. Permian Basin: Ratification of Award of Contract to J. W. Cooper Construction Company, Inc., for Initial Building. -- The action of the Special Committee, consisting of President Amstead, Executive Director Palmer, Deputy Chancellor Walker, and Chairman Peace, in awarding a contract to J. W. Cooper Construction Company, Inc., Odessa, Texas, the low bidder, for the Initial Building at The University of Texas of the Permian Basin was ratified as follows:

Base Bid		\$ 129,900
Less Deductive Alternates:		
No. 2 (Deletion of Certain Lighting Fixtures in Room 117)	\$ 1,900	
No. 5 (Deletion of low voltage remote control switching in Room 117)	700	<u>2,600</u>
Total Contract Award		<u>\$ 127,300</u>

The total amount of this contract is within the \$130,000 appropriated for the project. It was noted that this building is being financed by a gift from Houston Endowment, Inc. It is anticipated that the building will be ready within 30 days.

17. U. T. Permian Basin: Approval of Power Line Easement to Texas Electric Service Company. --A power line easement was granted to Texas Electric Service Company, Fort Worth, Texas, to extend power lines to the Initial Building at The University of Texas of the Permian Basin at no expense to the University. A portion of this easement will be overhead and a portion will be underground. Chairman Peace was authorized to execute the instrument when it has been approved as to content by Deputy Chancellor Walker and as to form by a University attorney.

18. Galveston Medical Branch: Appointment of Ray S. Burns, Engineer, for Third Phase for Revision and Extension of Utility Distribution System (Extension of Chilled Water and Steam and Replacement of Sanitary Sewer Line) and Appropriation Therefor. -- Since the First Phase and the Second Phase of the revision and extension of the Utility Distribution System at The University of Texas Medical Branch at Galveston have been accomplished, it was authorized that Ray S. Burns, Consulting Engineer, Houston, Texas, be appointed for the Third Phase of this project which will extend the chilled water and steam to the new Administration Building presently under construction and to replace a 12-inch sanitary sewer line with an 18-inch sanitary sewer line from John Sealy Hospital down Mechanic Street to 10th Street. The Engineer was authorized to prepare plans and specifications for these two items to be incorporated into one project and presented to the Board of Regents for approval at a later date. In this connection, an appropriation of \$480,000 was authorized from the proceeds of the sale to Central Energy Corporation of the existing central utility plant at Galveston Medical Branch to cover the total estimated cost of the Third Phase of this project.

19. Galveston Medical Branch: Authorization for Appointment of Pierce, Goodwin, and Flanagan, Architect, for Existing Space Survey and Functional Program Requirements for Future Remodeling of Existing Hospital Facilities (John Sealy Hospital and Children's Hospital), and Appropriation Therefor. --Since the planning process of new construction involved in the additions to John Sealy Hospital and the Children's Hospital at The University of Texas Medical Branch at Galveston has progressed to the stage where descriptive academic planning data and architectural planning information are needed to coordinate the future phases of remodeling which may be contemplated for the several existing hospital facilities at the Galveston Medical Branch, the firm of Pierce, Goodwin, and Flanagan, Project Architect on the additions to John Sealy Hospital, was named to make a functional survey of the existing hospital buildings on an hourly basis at a total cost not to exceed \$25,400. This survey will include development of a program of accurate space requirements based on reasonable needs for all departments, allocation of essential priorities of areas, traffic flow patterns, and location and operations of interdepartmental relationships. An appropriation in the amount of \$25,400 was authorized from the Unappropriated Balance of the Galveston Medical Branch.

20. Galveston Medical Branch: Committee Appointed to Review and Recommend with Respect to Feasibility Study of Continued Use of Ashbel Smith Building. --Deputy Chancellor Walker reported that the feasibility study of the continued use of the Ashbel Smith Building at The University of Texas Medical Branch at Galveston had been completed. This study was authorized by the Regents on December 4, 1970, and was made by the firm of Wyatt C. Hedrick Architects and Engineers, Inc., Houston, Texas. It includes a detailed analysis of the possibilities of restoration, rehabilitation, conservation and demolition. Deputy Chancellor Walker was requested to distribute the report to the Regents, and a committee (consisting of Chairman Peace, Deputy Chancellor Walker and President Blocker) was appointed to review this report and present recommendations at a future meeting in connection therewith.

21. Houston Medical School: Appointment of Committee to Award Contract for Initial Facility. --Since the bids authorized at the meeting on October 23, 1970, will be received on June 15, 1971, a Committee (consisting of Dean Smythe, Deputy Chancellor Walker, Executive Director Palmer, and Chairman Peace) was appointed to award a contract for the Initial Facility at The University of Texas Medical School at Houston within the funds available for this project. It is estimated that the project will consist of approximately 55,511 gross square feet and will cost approximately \$2,500,000. Of this amount \$1,000,000 is to come from federal granting agencies and \$1,500,000 is to come from the Legislative appropriation for the Houston Medical School.

22. Houston Dental Branch: Appointment of Committee to Award Contract for Expansion of Existing Facility (Conversion of Ground Floor Space and Related Remodeling). --Since the bids authorized by the Board at its meeting on October 23, 1970, will be received on June 22, 1971, a Committee (consisting of Dean Olson, Deputy Chancellor Walker, Executive Director Palmer, and Chairman Peace) was appointed to award a contract for the expansion of the Existing Facility of The University of Texas Dental Branch at Houston within the funds available for this project. This project covers 23,237 gross square feet and the estimated total project cost is \$1,820,000.

23. M. D. Anderson: Acceptance of Hill-Burton Grant No. 535d for Expansion of Hospital (Additional Clinic Facility). --For additional clinic facilities in the expansion program of The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston, Grant Award No. 535d from the Texas State Department of Health (Hill-Burton Grant) in the amount of \$1,000,000 was accepted and immediately thereafter appropriated for the expansion of the M. D. Anderson Hospital project.

24. M. D. Anderson: Award of Contract to Stone Construction Company, Inc., for Remodeling of the Annex and Rehabilitation Center (Formerly Southern Pacific Hospital) and Additional Appropriation Therefor. --A contract was awarded to the low bidder, Stone Construction Company, Inc., Houston, Texas, for remodeling of the Annex and Rehabilitation Center (formerly Southern Pacific Hospital) of The University of Texas M. D. Anderson Hospital and Tumor Institute of Houston. The contract award was as follows:

Base Bid	\$ 1,481,686
Add Alternate No. 1 (Furnishing Vinyl Wall Covering in Certain Rooms)	<u>10,647</u>
Total Contract Award	<u>\$ 1,492,333</u>

To cover the contract award, Architect's fees thereon, contingency allowance and miscellaneous expenses, additional appropriations were authorized as follows:

Private Gifts	\$ 545,667
Supplemental Hill-Burton Grant	50,000
M. D. Anderson Unexpended Plant Funds Unappropriated Surplus	30,000
M. D. Anderson General Funds Unappropriated Surplus	161,899
Available Balance in Allotment Account for Project "Remodeling of Certain Areas in M. D. Anderson Hospital Building for Improvement of Outpatient Services"	<u>55,000</u>
Total Additional Appropriations	<u>\$ 842,566</u>

These additional appropriations of \$842,566 make a total appropriation for the project of \$1,641,566. Previously as indicated below, \$799,000 has been appropriated as follows:

Hill-Burton Grant	\$ 660,000
University Cancer Foundation	6,000
Legislative Appropriation	125,000
M. D. Anderson Plant Funds Unappropriated Surplus	5,500
Private Gifts	<u>2,500</u>
Total Previously Appropriated	<u>\$ 799,000</u>

Furniture, furnishings and equipment for the remodeled area in the amount of \$422,605 are being funded by a Texas Rehabilitation Commission grant of \$338,084 and an appropriation of \$84,521 from M. D. Anderson Plant Funds Unappropriated Surplus.

25. Public Health School: Appropriation for Water Service to Phase I Building. -- With respect to the construction of the Phase I Building at The University of Texas School of Public Health at Houston, an appropriation of \$5,000 was authorized from Permanent University Fund Bond proceeds to cover the cost of installing an eight-inch water line and a six-inch F. M. meter in order to provide water service to this building.
26. Public Health School: Approval of Easement to Houston Lighting and Power Company. --In order to provide electric service to the Phase I Building at The University of Texas School of Public Health at Houston, an easement 10 feet wide across the Southwest corner of the campus of the Public Health School was granted to Houston Lighting and Power Company, Houston, Texas. Chairman Peace was authorized to execute the instrument when it has been approved as to content by Deputy Chancellor Walker and as to form by a University attorney.
27. Public Health School: Authorization to Install Elevator in Phase I Building and Appropriation Therefor. --The structural capabilities of the Phase I Building of The University of Texas School of Public Health at Houston (a two-story building) were planned to provide for four more stories and for the installation of two elevators. In order to comply with the provisions of Senate Bill No. 111, R.S., 61st Legislature, 1969, approval was given to install in this two-story building one of the elevators at an estimated cost of \$45,000. For this installation and the Architect's fees thereon, an appropriation of \$47,500 was authorized from Permanent University Fund Bond proceeds.
28. Expression of Thanks to 62nd Legislature. --Following the presentation of the development plans of U. T. Dallas, U. T. San Antonio and U. T. Permian Basin, Committee Chairman Erwin took the opportunity of expressing, on behalf of the Board of Regents, thanks and deep gratitude to the 62nd Legislature of the State of Texas for having provided funds for the development of these three new academic institutions as well as the Houston Medical School, the Nursing School at El Paso, the Nursing School at San Antonio, and the Dental School at San Antonio.

REPORT OF LAND AND INVESTMENT COMMITTEE (Pages 34-55). -- In the absence of Committee Chairman Ikard, Chairman Peace filed the report of the Land and Investment Committee (Pages 35-55) with the Secretary. The actions therein were ratified without objection. Except as otherwise indicated in the reports, the Associate Deputy Chancellor for Investments, Trusts and Lands was authorized to execute all necessary instruments relating to real estate or mineral interest held or controlled by the Board of Regents as a part of the Permanent University Fund or as a part of any Trust or Special Fund when such instruments are approved as to form by a University attorney and as to content by an appropriate official.

I. Permanent University Fund

A. Investment Matters

1. Report on Clearance of Monies to Permanent University Fund and Available University Fund. --The following report was received from the Auditor, Oil and Gas Production, with respect to monies cleared by the General Land Office to the Permanent University Fund and the Available University Fund for the current fiscal year through April 1971:

	April, 1971	Cumulative This Fiscal Year	Cumulative Preceding Fiscal Year (Averaged)
<u>Permanent University Fund</u>			
Royalty - Oil	\$ 746,587.57	\$ 10,143,153.87	\$ 9,955,367.12
Gas - Regular	152,119.63	1,586,213.61	915,484.56
- F.P.C.	.47	24,772.60	69,741.76
Water	8,875.44	71,126.59	74,388.80
Salt Brine	1,385.44	8,236.84	8,142.64
Rental on Mineral Leases	68,860.47	200,940.51	196,704.48
Rental on Water Contracts	-0-	2,861.47	18,694.48
Rental on Brine Contracts	-0-	200.00	133.36
Amendments and Extensions of Mineral Leases	70,477.00	421,061.78	152,817.36
	<u>1,048,306.02</u>	<u>12,458,567.27</u>	<u>11,391,474.56</u>
Bonuses, Mineral Lease Sales (actual)	-0-	1,407,000.00	1,736,500.00
	<u>1,048,306.02</u>	<u>13,865,567.27</u>	<u>13,127,974.56</u>
<u>Available University Fund</u>			
Rental on Easements	13,903.49	107,222.84	123,768.00
Interest on Easements and Royalty	24.49	670.65	4,014.56
Correction Fees-Easements	-0-	-0-	-0-
Transfer and Relinquishment Fees	(290.17)	4,239.85	6,799.12
	<u>13,637.81</u>	<u>112,133.34</u>	<u>134,581.68</u>
Total - Available University Fund	<u>13,637.81</u>	<u>112,133.34</u>	<u>134,581.68</u>
Total - Permanent and Available University Funds	<u>\$ 1,061,943.83</u>	<u>\$ 13,977,700.61</u>	<u>\$ 13,262,556.24</u>
<u>Oil and Gas Development - April 30, 1971</u>			
Acreage Under Lease	572,906		
Number of Producing Acres	321,546		
Number of Producing Leases	1,423		

B. Bond Matters

PUF: Report re Refunding of Certain Outstanding Permanent University Fund Bonds and Request for Attorney General's Opinion. --Pursuant to authorization at the April meeting, Associate Deputy Chancellor Shelton reported that he had given consideration to the possibility of a refunding program whereby New Series Permanent University Fund Bonds (those issued after 1966) bearing an increased rate of interest would be offered in exchange for Old Series Permanent University Fund Bonds (those issued in 1966 and prior thereto). However, Associate Deputy Chancellor Shelton, the Bond Counsel and the Bond Advisor are of the opinion that the same results can be accomplished if it could be determined that the term "United States Government Bonds" can be officially construed to include obligations guaranteed by the United States of America. Authorization was given to Associate Deputy Chancellor Shelton to obtain an opinion from the Attorney General in an effort to determine whether or not obligations guaranteed by the United States Government come within the definition of United States Government Bonds.

C. Land Matters

Easements and Surface Leases Nos. 3246-3279, Amendment to Easement No. 3205, Material Source Permit No. 387, Water Contract No. 137, Grazing Leases Nos. 1109-1114, and Assignment of Grazing Leases Nos. 1100 and 1108. --Easements and Surface Leases Nos. 3246-3279, Amendment to Easement No. 3205, Material Source Permit No. 387, Water Contract No. 137, Grazing Leases Nos. 1109-1114, and Assignment of Grazing Leases Nos. 1100 and 1108 on University Lands were approved as set out below. All are within the policies of the Board and all have been approved as to form by a University attorney and as to content by an appropriate official.

Easements and Surface Leases

All easements and surface leases are at the standard rates; are on the University's standard forms; and payment has been received in advance, unless otherwise stated.

No.	Company	Type of Permit	County	Location (Block #)	Distance or Area	Period	Consideration
3246	Transwestern Pipeline Company	Pipe Line	Winkler	21	390.61 rds 12 inch	4/1/71 - 3/31/81	\$ 781.22
3247	Transwestern Pipeline Company	Pipe Line	Ward	16	1,174.97 rds 6 inch	4/1/71 - 3/31/81	1,527.46
3248	Skelly Oil Company (renewal of 1588)	Pipe Line	Andrews	9	649 rds 2-3/8 inch	6/1/71 - 5/31/81	421.85
3249	Warren Petroleum Corporation (renewal of 1594)	Pipe Line	Crane	31	87.2 rds 6-5/8 inch	7/1/71 - 6/30/81	113.36
3250	Amoco Production Company	Pipe Line	Andrews	13	159 rds 1 inch	3/1/71 - 2/28/81	103.35
3251	Phillips Petroleum Company (renewal of 1567)	Pipe Line	Andrews	1 & 11	251.1 rds various sized	4/1/71 - 3/31/81	163.22
3252	Mobil Pipe Line Company	Pipe Line	Ward	16	608.3 rds 6-5/8 inch	4/1/71 - 3/31/81	790.79
3253	B.T.A. Oil Producers (renewal of 1578)	Pipe Line	Andrews	9	141.62 rds 4-1/2 inch	5/1/71 - 4/30/81	92.05

Easements and Surface Leases - Continued --

No.	Company	Type of Permit	County	Location (Block #)	Distance or Area	Period	Consideration
3254	B.T.A. Oil Producers (renewal of 1579)	Pipe Line	Andrews	1	130 rds 2 inch	5/1/71 - 4/30/81	\$ 84.50
3255	El Paso Natural Gas Company (renewal of 1603)	Pipe Line	Crane	30	1,404.12 rds 12-3/4 inch	9/1/71 - 8/31/81	2,808.24
3256	El Paso Natural Gas Company	Surface Lease (Injector Site)	Ector	35	60' x 100'	5/1/71 - 4/30/81	50.00*
3257	Atlantic Richfield Company (renewal of 1597)	Pipe Line	Crane	31	444.7 rds various sized	7/1/71 - 6/30/81	289.06
3258	ARCO Pipe Line Company (renewal of 1618)	Pipe Line	Ward	16	178 rds 4 inch	9/1/71 - 8/31/81	115.70
3259	Phillips Petroleum Company (renewal of 1566)	Pipe Line	Ector	35	140.4 rds 6-5/8 inch	7/1/71 - 6/30/81	182.52
3260	Phillips Petroleum Company (Partial renewal of 1574)	Pipe Line	Andrews	13	395.4 rds 4-1/2 inch	7/1/71 - 6/30/81	257.01
3261	Phillips Pipe Line Company (Partial renewal of 1574)	Pipe Line	Andrews	13	160.9 rds 4-1/2 inch	7/1/71 - 6/30/81	104.59
3262	Phillips Petroleum Company (Partial renewal of 1593)	Pipe Line	Andrews	10 & 13	1,006.4 rds various sized	7/1/71 - 6/30/81	654.16
3263	Gulf Refining Company	Pipe Line	Crane	30	2,754.91 rds 6-5/8 inch	6/1/71 - 5/31/81	3,581.38

* Full consideration.

Easements and Surface Leases - Continued --

No.	Company	Type of Permit	County	Location (Block #)	Distance or Area	Period	Consideration
3264	Phillips Petroleum Company (Renewal of 1570)	Pipe Line	Crane	30	2,133.2 rds various sized	5/1/71 - 4/30/81	\$ 2,457.78
3265	Phillips Pipe Line Company (Partial renewal of 1593)	Pipe Line	Andrews	9	18.8 rds 4-1/2 inch	7/1/71 - 6/30/81	50.00 (Min.)
3266	Phillips Petroleum Company (renewal of 1596)	Pipe Line	Andrews Ector	13 35	727 rds various sized	8/1/71 - 7/31/81	533.52
3267	Texas-New Mexico Pipe Line Company (renewal of 1601)	Pipe Line	Crane	30 & 31	1,655 rds various sized	5/1/71 - 4/30/81	1,628.25
3268	General American Oil Company	Surface Lease (Water Processing and Pressuring Plant, Storage Area)	Crane	30	6.1 acres	4/1/71 - 3/31/72	122.00*
3269	Amoco Production Company	Pipe Line	Andrews	13	52.2 rds 4 inch	4/1/71 - 3/31/81	50.00 (Min.)
3270	Community Public Service Company	Power Line	Pecos	27 & 28	125.15 rds	2/1/71 1/31/81	75.09
3271	Larry Carrigan	Surface Lease (Residential Site)	Andrews	13	200' x 200'	5/1/71 - 4/30/72	50.00*

*One year term, with option to extend and renew said lease from year to year, but in any event not to exceed a total of ten (10) years. Consideration shown is for first year only.

Easements and Surface Leases - Continued --

No.	Company	Type of Permit	County	Location (Block #)	Distance or Area	Period	Consideration
3272	Commissioner's Court of Ward County	Surface Lease (Park Site)	Ward	16	Less than one-half acre	*	None
3273	American Telephone and Telegraph Company (renewal of 1591)	Surface Lease (Radio Relay Site-Ingress & Egress)	Hudspeth	G	3.44 acres	7/1/71 - 6/30/81	\$ 1,000.00**
3274	El Paso Natural Gas Company	Pipe Line	Ector	35	185.09 rds 18 inch	5/1/71 - 4/31/81	370.18
3275	Humble Oil and Refining Company (renewal of 1595)	Pipe Line	Andrews	9	339 rds 4-1/2 inch	8/1/71 - 7/31/81	220.35
3276	El Paso Natural Gas Company	Pipe Line	Terrell	34	33.64 rds 4-1/2 inch	5/1/71 - 4/30/81	50.00 (Min.)
3277	American Telephone and Telegraph Company	Surface Lease (Radio Relay Site)	Hudspeth	J & K	1.20 acres	7/1/71 - 6/30/81	1,000.00**
3278	General American Oil Company of Texas	Pipe Line	Crane	30	284.84 various sized	4/1/71 - 3/31/81	263.93
3279	Lo-Vaca Gathering Company	Pipe Line	Ward	16	1,374.5 rds 12-3/4 inch	5/1/71 - 4/31/81	2,749.00

Amendment to Easement

No.	Lessee	Period	Description	Distance or Area	Consideration
3205	Delhi Gas Pipeline Corporation	1/1/71 - 12/31/80	Block 29	123.39 rds 10 inch additional line	\$ 160.41 plus 50.00 amendment fee

*County will retain use of this site for so long as used for park purposes.

**Full Consideration.

Material Source Permit

No.	Grantee	County	Location	Quantity	Consideration
387	McVean & Barlow, Inc.	Ward & Winkler	Blocks 21 & 17	42,950 cubic yards of dirt	\$ 12,885.00

Water Contract

No.	Grantee	County	Location	Period	Consideration
137	Gulf Oil Corporation (renewal of Easement No. 1589)	Crane	Block 30	3/4/71 - 3/4/76	\$ 100.00*

*Annual rental of \$100 is to be paid plus a royalty of 10¢ per 1,000 gallons of water produced from the premises. In no event shall royalty be less than \$200 per year.

Grazing Leases

All the following grazing leases are for the five-year period, July 1, 1971, through June 30, 1976, with extension for an additional five-year period, July 1, 1976, through June 30, 1981, at rental shown provided the Lessee carries out the range conservation and/or ranch improvement programs and practices specified in Exhibit B of each lease, which shall be certified by the University Land Agent. All leases are on the University's standard forms with semi-annual payment of rental on July 1 and January 1 of each year in the amounts set out in the lease.

Lease No.		Lessee	Location		Acreage	Previous Rental Per Acre	First Five Years Annual		Second Five Years Annual	
New	Old		County	Block			Acre	Rental	Acre	Rental
1109	970	Joy Kerr and Cleve Kerr	Hudspeth	A, B, C	102,394.3	\$0.15	\$0.18	\$18,430.98	\$0.22	\$22,526.74
1110	971	Hilary George Bedford	Andrews	11	9,656.67	0.23	0.26	2,512.04	0.31	2,995.12
1111	972	Basil Dunlap	Crockett	29	1,434.0	0.50	0.67	\$60.78	0.80	1,147.20

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Grazing Leases - Continued --

Lease No.		Lessee	Location		Acreage	Previous Rental Per Acre	First Five Years		Second Five Years	
New	Old		County	Block			Acre	Annual Rental	Acre	Annual Rental
1112	973	W. E. Dunlap	Crockett	29 & 30	3,650.0	\$0.50	\$0.67	\$2,445.50	\$0.80	\$2,920.00
1113	976	John Dublin, Jr.	Crockett	38, 39, 41, & 42	11,245.2	0.50	0.65	7,309.38	0.77	8,658.80
1114	1045	Vannie E. Cook, Jr.	Crane & Upton	30 & 31	60,783.7	0.25	0.25	15,195.92	0.30	18,235.11*

*This cancels 1045 previously granted to Clinton Manges - Annual payments will be made July 1 of each year.

Assignment of Grazing Leases

No.	Assignor	Assignee	County	Acreage	Period	Consideration
1100	Tom Elrod	W. A. Wroe	Terrell	15,606.50	1/1/71 - 12/31/80	\$ 6,096.25*
1108	B. A. Randall and H. Dale Nichols	Joe Mendiburu and Robert W. Beard	Hudspeth	117,143.2	1/1/71 - 12/31/80	12,500.00*

*University's one-half share of bonus received.

II. Trust and Special Funds

A. Gift, Estate and Bequest Matters

1. U. T. Austin: Ratification of Trust Agreement Establishing the George M. Oliver Charitable Trust and the Leila A. Oliver Charitable Trust and Authorization to Sell Farah Stock. -- The following agreement establishing two trusts was approved and the execution of this agreement by Associate Deputy Chancellor Shelton was ratified. The Associate Deputy Chancellor for Investments, Trusts and Lands was authorized to sell the Farah Manufacturing Company stock at such time as he thinks it is desirable to do so:

GEORGE M. OLIVER and LEILA A. OLIVER, Settlers, do each hereby transfer the property listed in Exhibit "A", attached hereto, to the Trustee hereinafter named, and such Trustee hereby agrees to hold such property and all property hereafter added to the trusts herein, and all proceeds and investments thereof under the terms and conditions set forth in this trust agreement.

ARTICLE ONE

The trusts created hereunder are irrevocable and the Settlers shall have no power to alter, amend, revoke or terminate such trusts.

ARTICLE TWO

The trusts shall be known as "THE GEORGE M. OLIVER CHARITABLE TRUST" and "THE LEILA A. OLIVER CHARITABLE TRUST". Each of the two trusts created hereunder shall be governed by the provisions of this instrument, and reference in ARTICLE THREE to "the Settlor" shall mean GEORGE M. OLIVER or LEILA A. OLIVER, as the case may be.

In creating these trusts, the Settlers intend to obtain the full benefit of any income, gift and estate tax charitable contribution deduction to which each Settlor (and his or her estate) may be entitled under the Internal Revenue Code

hereinafter called "Code") and for the trusts to qualify as charitable remainder unitrusts under Code Section 664 and the regulations thereunder. Accordingly, these unitrusts shall be interpreted, valued, managed and invested consistent with the Settlers' intent. Without limiting the generality of the foregoing, the Trustee is specifically directed not to (1) engage in any act of self-dealing as defined in Code Section 4941(d), (2) retain any excess business holdings as defined in Code Section 4943(c), (3) make any investment which jeopardizes the unitrusts' charitable purposes as defined in Code Section 4944, or (4) make any taxable expenditure as defined in Code Section 4945(d).

ARTICLE THREE

During the lifetime of the Settlor, a sum equal to five percent (5%) of the net fair market value of the trust assets as of January 1 of each year shall be distributed to, or applied for the benefit of, the Settlor currently each year (which includes January 1), but at least as often as quarterly. If the net fair market of the trust assets is incorrectly determined, the Trustee shall pay to the Settlor, in the case of an undervaluation, or be repaid by the Settlor, in the case of an overvaluation, an amount equal to the difference between the amount which the Trustee should have paid if the correct value were used and the amount which the Trustee actually paid, within a reasonable period after the final determination of such value.

Except for short taxable years, the amount described in the first paragraph of ARTICLE THREE shall be paid to the Settlor during every taxable year of the trust for the Settlor's life-

time. With respect to the first taxable year of the trust the amount which must be paid under the first paragraph of ARTICLE THREE shall be based as the net fair market value of the assets as of the date of this agreement.

The first taxable year of the trust begins with the date of this agreement and shall end on December 31, 1971. Subsequent taxable years shall be on a calendar year basis. During any short taxable year the amount which must be paid under the first paragraph of ARTICLE THREE shall be a fraction of such amount, of which the numerator is the number of days in the taxable year of the trust and of which the denominator is 365 (366 if February 29th is a day included in the numerator).

Notwithstanding the foregoing, the payments to a Settlor shall cease with the quarterly installment next preceding his death.

A Settlor may, from time to time, add property acceptable to the Trustee to the trust. In such case, for purposes of the taxable year of the trust in which the additional contribution is made:

1. The additional property shall be valued at the time of contribution; and
2. The amounts described in the first paragraph of ARTICLE THREE shall be computed by multiplying five percent (5%) by the sum of (a) the net fair market value of the trust assets (excluding the additional

property as of the valuation date including any earned income from and any appreciation on such property) and (b) that proportion of the value of the additional property that was excluded under Subdivision (a) of this Section 2) which the number of days (including the day of transfer) remaining in the taxable year of the trust bears to the total number of days in that taxable year of the trust.

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

Upon the death of the Settlor, the trust shall terminate and the then assets of the trust and any accruals shall be distributed to The University of Texas at Austin, Texas, for the establishment of a scholarship fund to be administered by The Board of Regents of The University of Texas System with the

University of Texas at Austin faculty and administration to control the handling of the proceeds of the fund for the benefit of students of Chemical Engineering in the College of Engineering; both the principal and the income of such fund may be used for educational purposes to further the purposes of the fund as such faculty and administration may determine. It is the Settlor's request that such fund be known as "THE LEATON THOMAS OLIVER SCHOLARSHIP FUND IN CHEMICAL ENGINEERING" in memory of the Settlor's son, LEATON THOMAS OLIVER, class of 1962; and it is the Settlor's further request that, if possible, the beneficiaries of the fund be selected in consultation with Humble Oil and Refining Company, the employer of LEATON THOMAS OLIVER at the time of his death. If The University of Texas at Austin, Texas, is not an organization described in Section 170(c) of the Code at the time when any amount is to be irrevocably transferred to it, the Trustee shall transfer such amount to one or more organizations which are described in Code Section 170(c) selected by it and in such shares as it shall determine. If the College of Engineering and Chemical Engineering at the University of Texas cease to exist at some time in the future, the Board of Regents of The University of Texas System shall be authorized to devote the benefits of the fund in scholarships in a field or fields akin to or similar to engineering or chemical engineering.

ARTICLE FOUR

With respect to each trust created hereunder, the Trustee is directed as follows in regard thereto:

1. No portion of such trust established hereunder shall ever be subject to any liens, transfers,

encumbrances, or other dispositions of income or principal by any beneficiary thereof, whether voluntary or involuntary, nor shall the assets of such trust be subject to attachment, execution, garnishment, seizures or sale by or on behalf of any creditor of any beneficiary or his/her spouse, if any, whether by virtue of a writ or any process of proceeding in any court, or otherwise.

2. In extension and not in limitation of the powers given by law or other provisions of this instrument, the Trustee hereunder shall have the power to retain indefinitely any investment and to invest and reinvest in and sell stocks, shares and obligation of corporations, of unincorporated associations or trusts and of investment companies, or in any kind of other personal property, notwithstanding the fact that any or all of the investments made or retained are of such a character or size which, but for this express authority, would not be considered a proper investment for a trustee to make. Notwithstanding the foregoing, the Trustee may not invest in any assets which do not have an objective, ascertainable market value, such as real estate or stock in closely held corporations.
3. In accordance with the provisions of Section Twenty-Two of the Texas Trust Act, the Trustee is authorized to sell any property of any trust created hereunder to, or purchase such trust property from any other

trust estate of which it is Trustee, or any estate of which it is Executor.

4. No power given to the Trustee shall be construed to enable any person to purchase, exchange or otherwise deal with or dispose of the principal of income therefrom for less than an adequate consideration in money or money's worth, or to authorize loans to any person except on the basis of an adequate interest charge and with adequate security.
5. The Trustee may release (in whole or in part, temporarily or irrevocably, and with respect to any one or more of the trusts) any power, authority or discretion conferred upon it hereunder, with respect to any trust hereunder by instrument in writing retained by the Trustee.
6. The Trustee is authorized to borrow money for any purpose expressly or impliedly authorized hereunder, on such terms as the Trustee may deem advisable, and to grant and execute liens on any trust property to secure such loans.
7. When any distribution of corpus is to be made hereunder the Trustee is authorized to make such distribution wholly in kind or wholly in cash, or partly in cash and partly in kind, or by transferring to such distributee an undivided interest in any trust property. For the purpose of making any distribution

of corpus, the Trustee is authorized to borrow money and grant and execute liens against the trust property to secure such loans. The judgment of the Trustee in making any such distribution shall be binding and conclusive on all persons in the absence of proof of bad faith.

8. The Trustee is authorized to hold any stocks, bonds, notes, mortgages, real property, or other property, in its name as Trustee, or in its name or in the name of a nominee without disclosing the fiduciary relationship.

ARTICLE FIVE

No bond or security shall be required of the original Trustee hereunder or of any successor Trustee; or if a bond is required by law, no surety shall be required on such bond.

The Trustee of the trusts established hereunder shall be THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, as Trustee for the use and benefit of The University of Texas System. If the Trustee hereinabove named declines to continue to serve, a national bank with a qualified trust department shall be appointed as a substitute Trustee by a District Court of El Paso County, Texas, and such substitute Trustee shall serve with the same powers as are herein provided for the original Trustee.

No one dealing with the Trustee need inquire concerning the validity of anything the Trustee purports to do, nor see

to the application of any money paid or any property transferred to or upon the order of the Trustee.

No Trustee hereunder shall be liable for any act or omission in connection with the administration of any trust hereunder or for any loss or injury to any trust property, except for its actual fraud or bad faith. The judgment of the Trustee on matters placed by this trust agreement within its discretion shall be final and conclusive on all persons interested, or who may become interested, in any of the trusts herein created.

ARTICLE SIX

The trusts created hereunder are Texas trusts, made in that state, and are to be governed, and construed, and administered according to its laws, and shall continue to be so governed, and construed, and administered though administered elsewhere in the United States or abroad.

ARTICLE SEVEN

To the same effect as if it were the original, anyone may rely upon a copy certified by a Notary Public to be a counterpart of this instrument (and of the writings, if any, endorsed thereon or attached thereto). Anyone may rely upon any statement of facts certified by anyone who appears, from the original document or a certified copy thereof, to be a Trustee hereunder.

EXECUTED at El Paso, Texas, this 27th day of April,
1971, by the affixing hereto of the signatures of the Settlor,
and by attaching the list of assets to be included in the
trusts at the time of their inception, marked Exhibit "A".

George M. Oliver
GEORGE M. OLIVER

SETTLOR

Leila A. Oliver
LEILA A. OLIVER

SETTLOR

These trusts are accepted under the terms outlined above
and receipt is acknowledged of these items shown on the
attached list.

THE BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM

BY Lloyd O. Shelton
Assoc. Prof. Chemistry, Univ. of Texas, Austin & Dallas
Date accepted: May 11, 1971

TRUSTEE

EXHIBIT A

The following shares are hereby transferred to the trusts created under Trust Agreement dated April 27, 1971:

SHARESTRUST

11,500 shares, common stock of Farah Manufacturing Co., Inc., out of the community interest of George M. Oliver in certificate TU1950 for 23,027 shares, transferred by George M. Oliver

THE GEORGE M. OLIVER
CHARITABLE TRUST

3,500 shares, common stock of Farah Manufacturing Co., Inc., out of the community interest of George M. Oliver in certificate TU258 for 7,000 shares, transferred by George M. Oliver

THE GEORGE M. OLIVER
CHARITABLE TRUST

11,500 shares, common stock of Farah Manufacturing Co., Inc., out of the community interest of Leila A. Oliver in certificate TU1950 for 23,027 shares, transferred by Leila A. Oliver

THE LEILA A. OLIVER
CHARITABLE TRUST

3,500 shares, common stock of Farah Manufacturing Co., Inc., out of the community interest of Leila A. Oliver in certificate TU258 for 7,000 shares, transferred by Leila A. Oliver

THE LEILA A. OLIVER
CHARITABLE TRUST

2. Dallas Medical School: Acceptance of Bequest Under the Will of Elmer E. Stalcup, Deceased, and Authorization to Negotiate for Sale of Real Estate in Odessa, Ector County, Texas. -- The following resolution was adopted:

WHEREAS, Under the terms and provisions of the Last Will and Testament of Elmer Ellard Stalcup, Deceased, dated July 15, 1969, all of his property, real, personal and mixed was devised to The University of Texas Southwestern Medical School at Dallas governing board "to be used and expended for the benefit of such school in any manner it deemed appropriate";

WHEREAS, This estate with a net value of approximately \$50,000 is being administered by the First National Bank of Odessa, Independent Executor, and

WHEREAS, It is necessary to sell certain assets in order to pay outstanding debts:

BE IT RESOLVED:

- a. That the bequest under the terms of the will of Elmer E. Stalcup, Deceased, be accepted and
- b. That the Associate Deputy Chancellor for Investments, Trusts and Lands be authorized to advise the First National Bank of Odessa, Independent Executor, of the approval of the sale of the tract of land at the N/W corner of East 7th Street and Jefferson Avenue in Odessa, Ector County, Texas, (a portion of Lots 13, 14, 15 and 16, Block 1, Hartzog Addition to the City of Odessa, Ector County, Texas) containing approximately 9,000 square feet plus a one story office building of approximately 2,160 square feet situated thereon, at a total consideration of \$33,000, payable \$23,700.54 in cash and the assumption of the mortgage thereon held by Ryan Mortgage Company in the amount of \$9,299.46.

At the appropriate time, a final accounting will be furnished by the First National Bank, Odessa, Texas, and will be reported to the Board as an item for the record.

B. Real Estate Matters

1. U. T. Austin - Hogg Foundation: Will C. Hogg Memorial Fund - Approval for Joinder with Mrs. Margaret Wells Markus, Miss Ima Hogg and Mrs. Alice Nicholson Hanszen in Oil and Gas Lease to W. L. Sinclair on Tract (1,553 Acres) in Montgomery County. -- Upon recommendation of the Associate Deputy Chancellor for Investments, Trusts and Lands, approval was given for a joinder with Mrs. Margaret Wells Markus, Miss Ima Hogg and Mrs. Alice Nicholson Hanszen in an oil and gas lease

under 1,553 acres in the James Pevchouse League, Montgomery County, Texas, to Mr. W. L. Sinclair of Dallas at 1/6 royalty, \$5 per mineral acre bonus and \$5 annual delay rental for a primary term of three years. One-half of the minerals under this tract is owned 5/12 by Miss Hogg, 4/12 by Mrs. Hanszen and 3/12 by Mrs. Markus for life and then to the Board of Regents as Trustee of the Hogg Foundation: Will C. Hogg Memorial Fund.

2. U. T. Austin - Hogg Foundation: Will C. Hogg Memorial Fund - Approval for Joinder with Miss Ima Hogg, Mrs. Alice Hanszen and Mrs. Margaret Wells Markus in Oil and Gas Lease Under 196.07 Acres in Wharton County to Geological Research Corporation (Mr. Cecil V. Hagen). --At the request of the Associate Deputy Chancellor for Investments, Trusts and Lands, approval was given for a joinder with Miss Ima Hogg, Mrs. Alice Hanszen and Mrs. Margaret Wells Markus in an oil and gas lease of undivided interests under 196.07 acres in the Stephen F. Austin Survey, Abstract 2, Wharton County, which is on Boling Dome in an area where heretofore only shallow Miocene production above the salt dome has been obtained, to Geological Research Corporation (Mr. Cecil V. Hagen) of Houston, Texas. This lease is for a primary term of six months with 1/6 royalty and no bonus, but the lessee agrees to pay liquidated damages (\$125 for 1/16 interest of Will C. Hogg Memorial Fund in the oil and gas) if a well is not started within the primary term.

3. U. T. Austin - Hogg Foundation: Will C. Hogg Memorial Fund - Authorization for Joinder with Humble Oil & Refining Company in Amendments to Four Oil and Gas Leases in Raccoon Bend Field, Austin County. --Authorization was granted for joinder with Humble Oil & Refining Company in amendments to four oil and gas leases in Raccoon Bend Field, Austin County, Texas, (Hogg Foundation: Will C. Hogg Memorial Fund) all made in 1925 and 1926 and now held and operated by Humble Oil and Refining Company. These amendments will provide for 1/8 of market value on gas and will include a reasonable shut-in gas provision. The old leases provide for a maximum of \$200 per lease (full mineral interest) annually. As amended, the four leases will be more in line with more recent leases in the field due to developing market for casing head gas and Humble's re-evaluation in an attempt to discover gas productive formations.

III. Other Matters

Report of Securities Transactions for Permanent University Fund and for Trust and Special Funds for February and March 1971. --The reports of Securities Transactions for Permanent University Fund and for Trust and Special Funds for February and March 1971, as submitted by the Associate Deputy Chancellor for Investments, Trusts and Lands were approved and are attached as Attachment No. 2 and made a part of the Minutes following Page N-3 of Attachment No. 1.

REPORT OF MEDICAL AFFAIRS COMMITTEE (Pages 56-62). --The following report of the Medical Affairs Committee was presented by Chairman Peace since Committee Chairman Williams had to leave the meeting prior to the filing of the reports of the Standing Committees. Upon motion of Regent Erwin, the report was received and the actions therein were approved:

1. U. T. System: Establishment of the University Foundation for Education and Research in Health Services, Inc., Deferred. --Deferred until the next meeting of the Board of Regents was the recommendation of the Health Affairs Council to establish the University Foundation for Education and Research in Health Services, Inc., and to approve related matters. This proposal had been suggested in connection with the Health Maintenance Organization concept of health care delivery as emphasized in President Nixon's health message to Congress on February 18, 1971.
2. Dallas Medical School: Approval of Annual Fund Campaign by Alumni Association. --Approval was given to the Alumni Association of The University of Texas Southwestern Medical School at Dallas to conduct an annual fund campaign for the benefit of the Dallas Medical School. It was understood that this campaign would be conducted and would be for the purposes outlined below:
 - a. The constituency to be solicited would include alumni of the Dallas Medical School, non-alumnus physicians in Dallas and Tarrant counties and faculty of the Dallas Medical School.
 - b. The annual effort would be sponsored by the Alumni Association, and solicitation would be carried out on the letterhead of the Association and over the signatures of its officers and class agents.
 - c. Contributions to the fund would be made payable to the Dallas Medical School and not to the Alumni Association, thereby ensuring tax deductibility.
 - d. Staffing for this annual campaign would be carried out by the Dallas Medical School Development Office and would be funded by the dean's discretionary fund and by a supplemental grant from the Southwestern Medical Foundation, which has indicated its willingness to support the effort in its beginning years. Most of the solicitation would be carried out through direct-mail solicitation between September 15, 1971 and May 15, 1972, during its first year of operation.
 - e. Purposes for which solicitation would be made:
 - (1) Scholarship and loan funds
 - (2) Funds to meet the recreational needs of students, such as an improved exercise room, a reading room, improved television facilities, and an expanded student union building

- (3) Funds to serve other ongoing activities of the students, such as community service projects, student publications, travel funds for student representatives
- (4) Unrestricted funds

The Regents' Rules and Regulations, Part One, Chapter VII, Section 2.45, requires approval by the Board for Ex-Students' Associations to sponsor or participate in fund-raising efforts.

3. Dallas Medical School: Name of the Department of Anatomy Changed to the Department of Cell Biology. --Upon recommendation of Dean Sprague, concurred in by Chancellor LeMaistre, the name of the Department of Anatomy at The University of Texas Southwestern Medical School at Dallas was changed to the Department of Cell Biology. This name will more accurately reflect current emphasis in teaching and research in this area of medical education.

This does not require the approval of the Coordinating Board, Texas College and University System but will be reported to the Coordinating Board for information.

4. San Antonio Medical School: Affiliation Agreement Between the Board of Regents of The University of Texas System and the Board of Trustees of Lutheran General Hospital. --At the Regents' meeting on March 6, 1970, a tract of 11.4 acres in the South Texas Medical Center was allocated to the Lutheran General Hospital for a hospital. This allocation was upon the condition that the Lutheran General Hospital execute a satisfactory affiliation agreement with The University of Texas Medical School at San Antonio. Pursuant thereto, the following affiliation agreement (Pages 58-62), upon recommendation of the Administration, was approved by the Board of Regents with authority to the Chairman of the Board to execute the agreement which has been approved as to form by University Attorney Waldrep and as to content by the Deputy Chancellor for Administration and the Vice-Chancellor for Medical Affairs.

AFFILIATION AGREEMENT

THE STATE OF TEXAS }
 COUNTY OF BEXAR }

This AGREEMENT is executed on _____, 1971, by and between the BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM, on behalf of The University of Texas Medical School at San Antonio, San Antonio, Texas, sometimes referred to as "Medical School" in this agreement, and the BOARD OF TRUSTEES OF LUTHERAN GENERAL HOSPITAL, in the South Texas Medical Center, on behalf of the Lutheran General Hospital of San Antonio, Texas, sometimes referred to as "Hospital" in this agreement, WITNESSETH:

WHEREAS, advancement and progress in medicine are now being achieved at a more significant and rapid rate than during any previous period in history; and

WHEREAS, in recognition of these dramatic changes and of all future discoveries and developments, the Medical School and the Hospital find it desirable to establish a closer working relationship between the two institutions, both of which share a common commitment to offer the people of San Antonio, Texas, and the Southwest the finest medical care and a desire to participate in the education of doctors for the future, and

WHEREAS, it is in the best interest of both parties to coordinate all medical care resources in this community to this end:

NOW THEREFORE, with these objectives in mind and with an intent to develop a teaching program for the doctors of the future, and to pursue this goal jointly to the extent consistent with the interests of each institution, the Medical School and the Hospital hereby agree as follows:

1. EXTENT OF AFFILIATION AT THE DEPARTMENTAL OR SERVICE LEVEL, OR BOTH

The purpose of this agreement is to establish a broad framework of institutional policies to facilitate cooperation between the Medical School and the Hospital at the departmental or service level, or both. It is agreed that the initiative for establishing any departmental or service affiliation and working relationships, or both, will be vested in the respective department or service heads of the several departments or services, or both, of the Medical School and corresponding chiefs of service of the Hospital staff. It is further understood that the individual departments or services, or both, of the Medical School or the Hospital may or may not establish affiliations, depending upon the needs and circumstances of the departments or services, or both, and subject to the appropriate action by the respective governing bodies of those institutions.

AFFILIATION AGREEMENT

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2. PROVISIONS FOR FACULTY APPOINTMENTS FOR HOSPITAL STAFF MEMBERS

Both parties agree that academic status has been proven to be a strong inducement for attracting well-qualified physicians for teaching positions at the Hospital, and that academic appointments made by the Medical School for individuals in key positions at the Hospital should include tenure or assurances of continuation of employment, if possible. Academic appointments, including tenure, will be nominated by the Hospital or the Medical School and will be granted after mutual agreement on an individual basis, subject to the approval of the person by the Medical School and satisfactory arrangements covering the financial obligations accompanying all appointments in this category. The alternatives for obtaining appointments in this category are:

(1) Unqualified Tenure Appointment:

Guarantee by the Hospital for all future salary costs for any tenure appointments by the Medical School

Under a contract negotiated between the individual physician and the Hospital, with the approval of the Medical School, the Hospital will guarantee to pay to the Medical School the salary for the position authorized in accordance with the terms of the contract. These payments will continue as long as the Medical School is required to maintain these personnel, but not to exceed the term of the contract as negotiated between the parties.

(2) Qualified Tenure Appointment:

Guarantee by the Hospital of the future salary costs for a limited term tenure appointment of a period of time to be agreed upon following termination or discontinuation of a hospital position

Under this agreement, the faculty member would receive a tenure guarantee covering a period of time to be agreed upon between the Hospital and the physician. In the event his position shall be terminated by the Hospital before the end of such period, and at the time of such termination, the physician occupies a full-time faculty position at the Medical School, then he would be entitled to receive his salary from the Hospital for the remainder of the period originally agreed upon.

AFFILIATION AGREEMENT

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(3) Hospital Staff Without Compensation:

Rules and procedures established by the Hospital will be used in appointment of medical staff of the Hospital without teaching assignment, faculty designation, or compensation through the Medical School.

(4) Hospital Staff with Partial Compensation and/or Medical School Faculty Appointment:

Mutual agreement between the Hospital and the Medical School is required for appointment in either category in this section with definition of faculty title, duties, amount of compensation (if any), and term of appointment (annual unless otherwise agreed upon).

3. COMPENSATION ARRANGEMENTS FOR FULL-TIME FACULTY

Physicians with academic appointments employed full-time by the Medical School and based at the Hospital will be subject to The University of Texas System policy regarding salary plan. Fees earned in excess of the maximum allowed will be placed in a trust fund and used to develop medical education and research programs at the Hospital. These funds should not be committed on a continuing basis for the salaries of additional full-time personnel.

4. JOINT SPONSORSHIP OF RESEARCH ACTIVITIES

In the event the Hospital and the Medical School desire to jointly pursue research, the Hospital will provide research facilities for physicians who are geographically full-time within the Hospital. Research projects at the Hospital may be jointly sponsored by the Medical School through contract. In such cases, the contract will state the extent of the responsibility of each institution in the administration and disposition of research funds, provision of staff and facilities, and ownership of equipment purchased with research funds.

5. PROVISION FOR REVIEW OF RELATIONSHIP

Both parties agree that a productive and harmonious relationship between the two institutions depends upon maintaining effective channels of communication. The parties anticipate that routine matters will be handled and decided mutually through continuous contacts at the departmental or service level. At least annually, and more frequently if necessary, a group representing each institution should meet to review and discuss overall relationships and policies and other matters of common concern.

AFFILIATION AGREEMENT

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6. JURISDICTIONAL POWERS

It is agreed that the Lutheran General Hospital Board of Trustees, acting for its institution, shall retain all jurisdictional powers incident to separate ownership, including the power to determine the general and fiscal policies of its institution; selection of the directing head of the Hospital; and the determination of the acceptability and desirability of the Hospital medical and professional staff.

7. ADMISSION OF PATIENTS AND APPOINTMENTS TO TEACHING STAFF

All admissions of patients to the Hospital shall be under the direction of the Hospital Board of Trustees, and full and complete direction of the administration and supervision of the Hospital, as well as appointments to the medical staff, shall at all times be retained by the Hospital Board of Trustees. Appointments to the teaching staff of the Lutheran General Hospital shall be made by the Hospital Board of Trustees. Such appointments should come on recommendations of the Medical School after due consultation with the Hospital chiefs of service or departmental chairmen concerned and upon the approval of the executive committee of the medical staff. Appointment to the Hospital medical staff or membership therein is not contingent upon a teaching appointment.

8. CHANGES IN AGREEMENT AND DISSOLUTION

If any aspect of this agreement becomes unsatisfactory, a joint committee of appointed representatives of both institutions shall be responsible for discussing and resolving questions involved. If a change in the agreement is necessary, the committee shall make recommendations to the authorities at each institution. If problems develop that are serious, and that cannot be resolved, either party hereto shall have the right to terminate this agreement upon not less than six months' written notice to the other. The effective date of such dissolution shall be mutually agreed upon with adequate time to allow each institution to make necessary arrangements for an orderly transition. In the absence of such an agreement, however, the effective date of such dissolution or termination shall be six months after the receipt of such written notice.

9. TERM OF AGREEMENT

This agreement shall be for a term of ten years from and after the date of execution unless sooner terminated as hereinabove provided or by mutual consent of both parties. It may also be amended in writing to include such provisions as both parties may agree upon.

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

ATTEST:

BOARD OF REGENTS OF
THE UNIVERSITY OF TEXAS SYSTEM

Secretary

Chairman

ATTEST:

LUTHERAN GENERAL HOSPITAL

Alfred E. Schaefer, M.D., (Jr., M.D.)

Secretary

John V. ...

President

Approved as to Form:

Approved as to Content:

Dunstan Washburn

University Attorney

W. William H. Kennedy

Chancellor

Edward ...

Deputy Chancellor for
Administration

- 5. Public Health School: Proposed Plans for South-North Center for Health Studies, Pan-American Center for the Environment, and Institute of Environmental Health, Deferred. --The proposals relating to the planning and development of South-North Center for Health Studies, Pan American Center for the Environment, and Institute of Environmental Health for The University of Texas School of Public Health at Houston were deferred until the next meeting of the Board of Regents.

BOARD FOR LEASE OF UNIVERSITY LANDS. --Chairman Peace reported that the Board for Lease of University Lands had not met since the last meeting of the Board of Regents on April 23. A meeting, however, is scheduled the last of this month which will be for the purpose of determining the properties to be included in the Oil and Gas Lease Sale scheduled for October of this year.

COMMITTEE OF THE WHOLE
(Pages 63-144)

Chairman Peace filed the following report of the Committee of the Whole. This report was received and the actions therein, all of which had been taken in open meeting, were approved:

REGENTS' RULES AND REGULATIONS, PART ONE: AMENDMENTS TO CHAPTER II (ADVISORY COUNCIL ON MARINE-RELATED AFFAIRS AND ADVISORY COUNCIL ON ALLIED HEALTH PROGRAMS). -- The necessary rules were waived and Chapter II of the Rules and Regulations, Part One, was amended by adding a new Section 6 and its Subsections and Subdivisions 6.1 (6.11 and 6.12) and 6.2 (6.21 and 6.22) to be effective immediately as follows:

Sec. 6. Interinstitutional Programs

6.1 Advisory Council on Marine-Related Affairs.

6.11 The Council shall be chaired by the Vice-Chancellor for Academic Affairs, and membership shall consist of the Vice-Chancellor for Academic Affairs, the Vice-Chancellor for Health Affairs, and two persons from each of the following institutions appointed by the respective Chief Administrative Officers: U. T. Austin, U. T. Dallas, San Antonio Medical School and Galveston Medical Branch. Additional U. T. System component institutions may be admitted to membership on the Council by the Chancellor upon demonstration that they have substantive and ongoing programs in marine-related programs. The chairman shall call meetings of the Council as required.

6.12 The Council is charged with advising the Chancellor's Academic Affairs Council in the development of coordinated marine programs within the U. T. System institutions to maximize the efficient utilization of facilities, staff, and faculties and to serve most effectively the needs of students and the public. The Advisory Council on Marine-Related Affairs will advise the Academic Affairs Council on marine affairs in the U. T. System including degree programs, research activities, and the construction and conversion of facilities related to the oceans and the coastal areas of Texas.

6.2 Advisory Council on Allied Health Programs.

6.21 The Council shall be chaired by the Vice-Chancellor for Health Affairs, and membership shall consist of the Vice-Chancellor for Health Affairs, the Vice-Chancellor for Academic Affairs, and one person from each of the following institutions appointed by the respective Chief Administrative Officers: U. T. Austin, U. T. El Paso, U. T. Arlington, U. T. Dallas, U. T. San Antonio, U. T. Permian Basin, Dallas Medical School, San Antonio Medical School, San Antonio Dental School, Galveston Medical Branch, Houston Medical School, Houston Dental Branch, M. D. Anderson, Public Health School and System Nursing School. The Chancellor may add other component institutions to the Council as he deems appropriate. The chairman shall call meetings of the

6.22

Council as required and may appoint such special study committees as are appropriate to the work of the Council. The Council is charged with advising the Chancellor's Academic Affairs Council in the development of coordinated allied health programs within the U. T. System to maximize the efficient utilization of facilities, staff, and faculties and to provide for the health manpower needs of the State.

This amendment was proposed at the last meeting but deferred at the request of Chancellor LeMaistre.

REPORT OF SPECIAL COMMITTEE TO REVIEW BUDGETS FOR SYSTEM ADMINISTRATION, BAUER HOUSE AND UNIVERSITY HOUSE AT 1610 WATCHHILL ROAD. --The following two items from the report of the Special Committee to Review Budgets for System Administration, Bauer House and University House at 1610 Watchhill Road were approved at the meeting on April 23, 1971, and were ratified at this meeting. (These items were not listed on the April Agenda and hence were resubmitted for ratification):

1. Replacement of Air Conditioning System and New Carpets and Furniture Refinishing at 1610 Watchhill Road:

- a. Removal of old air conditioning units and supporting utilities and installment of new equipment:
 - (1) one unit to serve the upstairs
 - (2) one unit to serve the library and large living room on the east side downstairs
 - (3) one unit to serve the dining room, sun porch, kitchen, entrance foyer and stair well.

Estimated Cost \$11,250

b. New carpets and furniture refinishing -

Estimated Cost 4,950

Total \$16,200

2. Washington Office: Personnel

- a. Assistant Director for Federal Affairs
Ralph C. Graber \$25,000*
- b. Executive Assistant to the Director
Irene S. West \$13,800*

*Funds to come from Available Fund.

The personnel listed above at the salary rates indicated were approved without objection effective April 1, 1971.

U. T. SYSTEM: WASHINGTON OFFICE - APPROVAL OF BUDGET FOR REMAINDER OF 1970-71 AND REQUEST FOR FURTHER STUDY. -- The Board received a proposed annual operating budget for the Washington Office of The University of Texas System. Approval was given to appropriate one-fourth of the budget proposed for the Washington Office for 1971-72 to carry this office through August 31, 1971, and the Administration was requested to make an extensive study of this office and report to the Board of Regents at its meeting on July 30, 1971. The operating budget approved for the remainder of the year is as follows:

Personnel

Secretary - to be appointed \$ 2,375.00

Maintenance and Operations

Telephone service	\$ 1,000.00
Xerox rental and operation	450.00
Office supplies and equipment (includes subscriptions to journals, periodicals, etc., postage, and equipment maintenance contracts)	900.00
Promotional activities	250.00
	<u>\$ 2,600.00</u>

Travel

Travel of advisory consultants (5) to 3 meetings annually @ \$350.00 for each meeting	\$ 1,312.50
Travel of Director and Assistant Director to the various institutions in System on average of one week per month alternately and attendance at Board of Regents meetings	1,050.00
	<u>\$ 2,362.50</u>

Equipment

16,000.00

TOTAL OPERATING BUDGET

\$ 23,337.50

U. T. SYSTEM: REQUEST TO REVIEW CONTRACT TO SAFEGUARD INSURANCE COMPANY FOR LIABILITY INSURANCE COVERAGE FOR OFFICERS AND EMPLOYEES UNDER THE PROVISIONS OF H. B. 203 (ARTICLE 6252-19a, VERNON'S TEXAS CIVIL STATUTES), 61ST LEGISLATURE, REGULAR SESSION, 1969. -- Following a report by Deputy Chancellor Walker that the current contract to Safeguard Insurance Company for liability insurance coverage for officers and employees of The University of Texas System expires July 1, 1971, Deputy Chancellor Walker was instructed to review the problems involved in the renewal of this policy and submit recommendations relating thereto either to the Executive Committee or to a subsequent meeting of the Regents for approval.

BOARD OF REGENTS, SYSTEM ADMINISTRATION, U. T. AUSTIN AND U. T. EL PASO: AUTHORIZATION TO NEGOTIATE, EXECUTE AND ADMINISTER GOVERNMENT CONTRACTS. --The following resolution was adopted amending the list of individuals authorized to negotiate, execute and administer Government contracts for The University of Texas System as required by the security agreements with the United States Department of Defense:

BE IT RESOLVED:

1. That, those persons occupying the following positions among the officers of The University of Texas System shall be known as the Managerial Group as described in the Industrial Security Manual for Safeguarding Classified Information:

Charles LeMaistre, Chancellor, Chief Executive Officer

E. D. Walker, Deputy Chancellor for Administration

Robert Lee Anderson, Comptroller

Betty Anne Thedford, Secretary to the Board of Regents

Bryce Jordan, President ad interim, The University of Texas at Austin

Peter T. Flawn, Vice-President for Academic Affairs ad interim, The University of Texas at Austin

James H. Colvin, Vice-President for Business Affairs, The University of Texas at Austin

Bobby Gene Cook, Director of Accounting, The University of Texas at Austin

Jens M. Jacobsen, Member of Managerial Group and Security Supervisor; Executive Director, Office of Sponsored Projects, The University of Texas at Austin

A. J. Dusek, Member of Managerial Group; Associate Director, Office of Sponsored Projects, The University of Texas at Austin.

Joseph R. Smiley, President, The University of Texas at El Paso

Robert M. Leech, Vice-President for Academic Affairs, The University of Texas at El Paso

Halbert G. St. Clair, Business Manager, The University of Texas at El Paso

James B. Bacon, Director, Contracts & Grants, and Security Supervisor, The University of Texas at El Paso

Kenneth E. Beasley, Director of Research, The University of Texas at El Paso

Joseph S. Lambert, Director, Schellenger Research Laboratories, The University of Texas at El Paso

2. That the Chief Executive and the members of the Managerial Group have been processed, or will be processed, for a personnel clearance for access to classified information, to the level of the facility clearance granted to this institution, as provided for in the aforementioned Industrial Security Manual and all replacements for such positions will be similarly processed for security clearance.
3. That the said Managerial Group is hereby delegated all of the Board's duties and responsibilities pertaining to the protection of classified information under classified contracts of the Department of Defense or User Agencies of its Industrial Security Program awarded to the institutions of The University of Texas System.
4. That the following named members of the Board of Regents shall not require, shall not have, and can be effectively excluded from, access to all classified information in the possession of The University of Texas System and do not occupy positions that would enable them to affect adversely the policies and practices of the institutions of The University of Texas System in the performance of classified contracts for the Department of Defense or User Agencies of its Industrial Security Program, awarded to institutions of The University of Texas System, need not be processed for a personnel clearance:

MEMBERS OF THE BOARD OF REGENTS:

John Peace, Chairman
 Frank Ward, Vice-Chairman
 Frank C. Erwin, Jr.
 Jenkins Garrett
 Mrs. Lyndon Johnson
 Joe M. Kilgore
 A. G. McNeese, Jr.
 Joe T. Nelson, M.D.
 Dan C. Williams

U. T. SYSTEM: AUTHORIZATION TO DISPOSE OF PROPERTY AT 6604 MESA, AUSTIN, TEXAS (FORMER RESIDENCE OF DEPUTY CHANCELLOR LEMAISTRE). --It was ordered that the property located at 6604 Mesa, Austin, Texas (the residence of Chancellor LeMaistre during his tenure as Deputy Chancellor) be sold at not less than its cost to The University of Texas System and that the Chairman be authorized to sell it in whatever manner he thinks is appropriate.

U. T. SYSTEM: AMENDMENT TO ROSTER OF DEPOSITORY BANKS (ADDITION OF BANK OF COMMERCE, FORT WORTH, TEXAS). -- Upon recommendation of the Administration, the roster of depository banks for The University of Texas System was amended by adding the Bank of Commerce, Fort Worth, Texas, subject to the bank's being willing to execute the standard depository agreement previously approved by the Board of Regents.

U. T. SYSTEM: TERMINATION OF LEASE AGREEMENT WITH FIRST NATIONAL BANK IN DALLAS AND CHANGE IN STATUS OF PHILIP O'BRYAN MONTGOMERY, M. D., FOR 1971-72. --The lease agreement between The University of Texas System and the First National Bank of Dallas, Dallas, Texas, covering 400 square feet of office space in the First National Bank Building, Dallas, Texas, was authorized terminated on August 31, 1971. This space was used by the Special Assistant to the Deputy Chancellor, Philip O'Bryan Montgomery, M. D.

With respect to Philip O'Bryan Montgomery, M. D., the following recommendations of Chancellor LeMaistre were approved:

1. That Philip O'Bryan Montgomery, M. D., be continued as a Special Assistant to the Chancellor 1/4 time and Professor of Pathology at The University of Texas Southwestern Medical School at Dallas 3/4 time for 1971-72, and that as Special Assistant to the Chancellor he be assigned an ongoing responsibility for special programs in the area of private fund development.
2. That from June 5, 1971 to August 31, 1971, Dr. Montgomery's duties be (a) the development of a full status report of current compliance with the decentralized private fund development program and (b) the development of a planning time-table for compliance of each component unit based on the needs of the individual unit.

U. T. SYSTEM: (1) APPOINTMENT OF LESTER E. PALMER, ASSISTANT TO THE DEPUTY CHANCELLOR FOR ADMINISTRATION AND (2) APPOINTMENT OF RALPH S. KRISTOFERSON, DIRECTOR OF OFFICE OF FACILITIES PLANNING AND CONSTRUCTION. -- Effective July 15, 1971:

- (1) Mr. Lester E. Palmer was named Assistant to the Deputy Chancellor for Administration. The primary responsibilities of Mr. Palmer will be the negotiation of all utility contracts, handling of all relationships with city and county officials regarding University matters, land acquisition of the University System and supervision of the management of System properties in Austin.
- (2) Mr. Ralph S. Kristoferson was appointed Director of the Office of Facilities Planning and Construction to fill the vacancy created by the transfer of Mr. Palmer.

U. T. AUSTIN: DISAPPROVAL OF FACULTY PROPOSAL TO AMEND REGENTS' RULES AND REGULATIONS, PART ONE, CHAPTER III, SUBSECTION 7.4, ON POLITICAL ACTIVITIES OF FACULTY AND STAFF MEMBERS. --Chancellor LeMaistre submitted for information a recommendation from the faculty of The University of Texas at Austin to amend the Regents' Rules and Regulations, Part One, Chapter III, Subsection 7.4, concerning political activities of faculty and staff members. This proposal of the Faculty Senate had been adopted by the University Council (Documents and Proceedings of the University Council, Page 4732). President ad interim Jordan had submitted the faculty recommendation without his endorsement, and Chancellor LeMaistre recommended that this amendment to the Regents' Rules and Regulations be not adopted. However, the case of Boyett vs. Calvert, which is litigation involving employees of Texas A&M who were at the same time members of the City Council of College Station, was cited. Following consideration of the proposal, it was ordered that this recommendation of the University Council be deferred and that the Administration be instructed to restudy the present regulation of the Regents' Rules and Regulations in light of the final determination of the law and submit its recommendation thereafter.

U. T. AUSTIN: DISAPPROVAL OF FACULTY PROPOSAL CONCERNING DUE PROCESS PROTECTION FOR ADMINISTRATORS. --Chancellor LeMaistre presented a written report to the Board with respect to the action of the University Council of The University of Texas at Austin concerning due process procedure for dismissal of University administrators (Documents and Proceedings of the University Council, Page 4730). This action of the University Council would amend the Regents' Rules and Regulations, Part One, Chapter III, Subsection 6.9. This proposal had been submitted by President ad interim Jordan without his recommendation. The Board of Regents concurred in the recommendation of Chancellor LeMaistre that the proposal of the Faculty Senate, adopted by the University Council, be not approved. It was pointed out that the matter of tenure of an individual on the staff is not an issue but that the concern is his administrative position.

U. T. AUSTIN: ACCEPTANCE OF GRANT FROM HOUSTON ENDOWMENT, INC., ESTABLISHMENT OF JESSE H. JONES PROFESSORSHIP AND APPOINTMENT OF DEWITT C. REDDICK. --A grant of \$100,000 was accepted from the Trustees of Houston Endowment, Inc., and in compliance with its purpose the Jesse H. Jones Professorship in Journalism at The University of Texas at Austin was established. Professor DeWitt C. Reddick was named the first recipient of this professorship beginning in the fall of 1971. The grant will be paid in two installments of \$50,000 each, one on or about August 1, 1971, and the other on or about August 1, 1972. No funds from the endowment will be used for salary until the full amount of the gift has been received. It was noted that this is the first established professorship in the School of Communication.

U. T. AUSTIN: CLARENCE L. CLINE NAMED ASHBEL SMITH PROFESSOR. --Dr. Clarence L. Cline was named Ashbel Smith Professor of English at The University of Texas at Austin effective immediately.

U. T. AUSTIN: REPORT BY CHANCELLOR LEMAISTRE ON STUDENT PUBLICATIONS, INCLUDING RESTATED ARTICLES OF INCORPORATION AND OPERATING PROCEDURE (EXHIBITS A AND B) AND ARTICLES OF INCORPORATION AND OPERATING PROCEDURE (EXHIBITS C AND D), DISAPPROVAL OF TSP CHARTER IN PERPETUITY AND STATEMENT BY CHAIRMAN PEACE. --
Chancellor LeMaistre presented the following report on student publications at The University of Texas at Austin:

Report

I. At the April 23, 1971 meeting the Board of Regents authorized the administration to take whatever administrative actions necessary to insure the uninterrupted publication of the student newspaper at The University of Texas at Austin under current operating policies and procedures in the event that the final decisions of the Board of Regents are not implemented prior to expiration of the Texas Student Publications Charter on July 6, 1971. It is anticipated that your actions today and those of the Texas Student Publications Board of Directors on June 5, 1971, will make this standby protection for the student press unnecessary.

II. At the April 23 meeting I did not recommend, but submitted as information to you, the request of the Texas Student Publications Board of Directors for rechartering the present charter in perpetuity. I now recommend your specific disapproval of this request for the following reasons:

1. Student government should not dominate the students' publication board. Instead, the composition of the Board of Directors needs to provide an informed, journalistically-competent board to assume the responsibilities and function of a publisher, to set the policies for management and operation of student publications, to appoint the student editors, to have the right of final judgment on matters of news and editorial content and to have the sole authority and responsibility for the discipline of student editors. With such a board, the Regents should no longer concern themselves regularly with the board's action but rather delegate to The University of Texas at Austin that responsibility; including the approval of minutes from the Board. Decisions of the board of directors would not have to await Regental approval to be implemented.

2. The duration of "in perpetuity" fails to recognize the rapid changes taking place in student publications at universities throughout the land.

3. The present Texas Student Publications Charter does not define a clear working relationship between The Daily Texan and the Department of Journalism. The 1965-66 report of the professional newspapermen to the Board of Regents emphasized a need for more direct contact between the journalism faculty and The Daily Texan, a need that continued unmet after five years. A provision of the charter I propose requires a written operating procedure which guarantees that the student publications are in reality used in the academic process; thereby justifying both support by State resources, and the tax-exempt status of student publications.

III. It is in the belief that the teaching and learning process can be carried out utilizing a responsible, free, student controlled, written and edited student newspaper as part of the academic mechanism that I submit my recommendations.

Before proceeding with my recommendations, however, let me review the options which I find acceptable.

1. First would be the rechartering of student publications through mutual acceptance by the Board of Regents and the TSP Board of certain amendments to the present charter. These amendments will be presented for your consideration. I strongly favor expeditious processing of this possibility which could allow the amended charter to be placed in effect immediately, quelling self-serving rumors of censorship, abolition of student newspapers or threats of independent action.
2. Should the first option fail, I recommend the filing of a new charter to succeed the existing charter.

Unacceptable is the option that would encourage an off-campus student newspaper, totally independent of academic, administrative and fiscal relationships with the University. Although temporarily easing tensions, the real loser is the student journalist and the student reader. Such off-campus operations cannot serve the journalism students' academic requirements.

Based upon the two acceptable options available, I make the following recommendations:

1. That the present charter of the Texas Student Publications, Inc., be amended, by mutual agreement between the Board of Regents and the Board of Directors of Texas Student Publications, Inc., to provide that the student newspaper and all other student publications at The University of Texas at Austin be controlled, written, and edited by students and to provide an informed and qualified student majority on

the Board of Directors. To implement this recommendation, charter amendments would provide:

- a. The Board of Directors will have a clear student majority. The six student directors will be elected, four by journalism students and two by the student body. The other members of the Board, three faculty members with two from journalism and two newspapermen, add further journalistic competence for policy decisions.
- b. The new Board of Directors is empowered to determine the character and policies for all student publications, to acquire, manage and disburse funds pursuant to approved budgets, to appoint the managing editor of The Daily Texan, to have full power of disciplinary action, including removal from office of the editors, and in such matters their judgment will be final.
- c. The Board of Directors is also empowered to redraft the Student Publication's Handbook to serve in promulgation of their policies for management and operation.
- d. A Board of Directors functioning as a governing board mainly for policy decisions requires delegation of operational supervision and management to two important committees chosen by the Board from its membership.

First, an Executive Committee composed, as in the past, of three faculty members and two students will appoint the General Manager and the Editorial Manager(s) and fix their compensation. The Executive Committee functions for the Board of Directors in carrying out the Board's policies between meetings.

Second, a Review Committee to consider all materials withheld from publication is composed of one journalism student, one journalism faculty member and one newspaperman -- all members of the Board of Directors, and elected by the Board.

Materials deemed libelous or not in accord with the Board of Director's policies may be withheld by the Editorial Manager, regardless of their source, and those materials originating in the editing and reporting labs of the Department of Journalism may be withheld by the supervising faculty member. Should the appeal not be settled by the two on-campus members of the Review Committee, the newspaperman would be asked to submit his judgment based on the

professional ethics and standards of contemporary journalistic practice in the State of Texas.

Although the Board of Directors delegates important powers to committees from its membership, it is significant that it retains unto itself the final judgment for which no higher appeal is provided in two areas: (1) The Board of Directors may reverse the appealed decision of the Review Committee and (2) The Board of Directors reserves the sole right to disciplinary action, including removal, against the student editors.

- e. That all student editors be elected at a special election in the Spring.
 - f. The student editors of The Daily Texan would have authority for judgment on news and editorial content on all materials for student publications, including materials arising in the Department of Journalism's editing and reporting labs.
2. The second basic recommendation is that the relationship of the student newspaper to the journalism teaching effort would be clarified and enhanced, by written procedure between the student newspaper and the Journalism Department. This procedure specifies that the faculty may not be censors. The same appellate process is invoked for relationship with the journalism teaching materials as pertains to materials arising from other sources. In all matters relating to appeals of editorial and news content, the Board of Directors, with a clear student majority membership, is the final arbiter.

Modification would require agreement of both the Board of Directors and the Department of Journalism with the concurrence of the President of The University of Texas at Austin.

3. Since my recommendations, if adopted, will insure the direct relationship of student publications to the academic journalism experience, I will recommend a stable income base for these programs. In addition, I recommend continuation of the partial, but essential to fiscal survival, subsidy of the student newspaper by The University of Texas at Austin and the Board of Regents of The University of Texas System including:
- (1) Continuation of current use of 11,000 sq. ft. of university building space by student publications until completion of new quarters;
 - (2) Continued construction of the new \$901,800 building for the use of student publications;

- (3) Continued use of the printing equipment facilities of the University on a lease arrangement favorable to student publications;
 - (4) Continued joint sharing of utility costs by student publications and the University;
 - (5) Continued availability of U. T. Data Processing to student publications;
 - (6) Continued availability of free counsel to student publications of the Office of Investments, Trusts and Lands on investment of their substantial assets (currently \$600,000);
 - (7) Continued availability of student-derived income for the support of student publications and the advertising appeal of a 40,000 student readership;
 - (8) Continuation of tax-exempt status under their non-profit charter and the "State-umbrella" through The University of Texas at Austin.
4. It is not possible at this time to make a recommendation to the Board of Regents on the faculty needs of the Department of Journalism as related to the new student publications organization. Once the relationship of the new organization to the Department of Journalism is established, those needs will be determined immediately by the new President of U. T. Austin.

I submit to you that the amended charter now before you as Exhibit A* in the Resolution and the Operating Procedure now before you as Exhibit B* in the Resolution are appropriate instruments to implement the mutual responsibilities of the Board of Regents, the Administration and the journalism faculty, to enhance the quality of the academic experience as well as provide a responsible, free, student controlled, written, and edited student newspaper.

The independent charter now before you as Exhibit C* to the Resolution and the Operating Procedure now before you as Exhibit D* are also recommended for your action at this time. This charter differs in that the editor is appointed by the student-majority board of directors and the removal of an editor by the board of directors requires a majority as opposed to seven affirmative votes in the amended charter. Another difference from the amended charter is the authority of the President of The University of Texas at Austin to break a deadlock between the board of directors and the Department of Journalism.

* For Exhibit A, see Page 78.
 For Exhibit B, see Page 98.
 For Exhibit C, see Page 101.
 For Exhibit D, see Page 109.

Following the presentation by Chancellor LeMaistre, Regent Garrett expressed deep gratitude to Chancellor LeMaistre, to the professional journalists and to others who have worked and spent many hours in the study of student publications at The University of Texas at Austin. He then read and moved the adoption of the following resolution:

Resolution

WHEREAS, the Chancellor of The University of Texas System has conducted an exhaustive study and has consulted with numerous individuals and groups, including students, faculty, and distinguished professional journalists, concerning both the operation of Texas Student Publications, Inc., and its relationship with the Department of Journalism on the campus of The University of Texas at Austin and has reported fully the results of this study to this Board; and

WHEREAS, the Board of Regents finds that it is in the best interest of The University of Texas at Austin to provide for the uninterrupted publication of student publications at The University of Texas at Austin and specifically to continue and encourage the presence of a free and independent student newspaper written, edited and controlled by student editors under a student majority Board of Directors with the authority of a publisher; and

WHEREAS, the Board of Regents finds that a definitive educational relationship between the Department of Journalism of The University of Texas at Austin and the daily newspaper published by Texas Student Publications, Inc., is essential and must exist for the mutual best interest of each; and

WHEREAS, the Board of Regents finds that to insure the realization of the above objectives, certain amendments to the present Articles of Incorporation of the Texas Student Publications, Inc., are necessary; and

WHEREAS, the Chancellor of The University of Texas System met with the Board of Directors of Texas Student Publications, Inc., on Monday, May 31, 1971, in an attempt to gain their concurrence in proposed amendments to the present charter of Texas Student Publications, Inc., which would have provided the presence of a free and independent student newspaper written, edited and controlled by student editors under a student majority Board of Directors with the authority of a publisher and a defined relationship between the Department of Journalism and The Daily Texan, and

WHEREAS, the proposed rechartering would have allowed continuation of the partial, but essential to fiscal survival, subsidy of the student newspaper by The University of Texas at Austin and the Board of Regents of The University of Texas System including:

- (1) Continuation of current use of 11,000 sq. ft. of university building space by student publications until completion of new quarters;

- (2) continued construction of the new \$901,800 building for the use of student publications;
- (3) continued use of the printing equipment facilities of the University on a lease arrangement favorable to student publications;
- (4) continued joint sharing of utility costs by student publications and the University;
- (5) continued availability of U.T. Data Processing to student publications;
- (6) continued availability of free counsel to student publications of the Office of Investments, Trusts and Lands on investment of their substantial assets (currently \$600,000);
- (7) continued availability of student-derived income for the support of student publications;
- (8) one officially sanctioned newspaper on campus creating an advertising appeal from such assured circulation;
- (9) continuation of tax-exempt status under their non-profit charter and the "State-umbrella" through The University of Texas at Austin; and

WHEREAS, the Board of Directors of Texas Student Publications, Inc. refused to concur in Dr. LeMaistre's recommendation of this proposed charter to the Board of Regents of The University of Texas System; and

WHEREAS, the recommendations now before the Board of Regents from Dr. LeMaistre reflect even further attempts on his part to gain concurrence from the Board of Directors of Texas Student Publications, Inc.

THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM:

1. The Board of Regents of The University of Texas System concurs in the proposed Restated Articles of Incorporation and Operating Procedure attached hereto and identified as Exhibit A* and Exhibit B*, respectively, and accordingly instructs the Chancellor of The University of Texas System to transmit these items to the Board of Directors of Texas Student Publications, Inc., via their Chairman for their consideration. Should the Board of Directors of Texas Student Publications adopt these proposals by a majority vote in compliance with law, the Chairman of the Board of Regents of The University of Texas System and the Secretary to the Board of Regents of The University of Texas System are hereby authorized to execute the Restated Articles of Incorporation in appropriate form for filing with the Secretary of State and the Secretary to the Board of Regents is further authorized to submit said Restated Articles of Incorporation to the Secretary of State of the State of Texas. This authorization shall expire June 11, 1971.

2. If the Secretary to the Board of Regents of The University of Texas System has not received the appropriately executed Restated Articles of Incorporation from the Board of Directors of Texas Student Publications, Inc., by the

* For Exhibit A, see Page 78.
For Exhibit B, see Page 98.

close of business on June 11, 1971, or if prior to June 11, 1971, the Directors of Texas Student Publications should vote to reject the proposed Restated Articles of Incorporation, the Chancellor of The University of Texas System is instructed to file with the Secretary of State of the State of Texas the attached Articles of Incorporation of The University of Texas at Austin Student Publications, Inc., (identified as Exhibit C)* and to instruct the President of The University of Texas at Austin to promulgate the attached Operating Procedure (identified as Exhibit D)*.

3. If concurrence of the present Board of Directors of the Texas Student Publications is not obtained for said Restated Articles of Incorporation and new Articles of Incorporation are filed by direction of the Board of Regents under the provisions of Section 2 above, upon the dissolution of the present Texas Student Publications, Inc., by limitation or otherwise, and in order to guarantee and assure the uninterrupted operations of the various student publications, all assets passing in trust to the Board of Regents of The University of Texas under the terms of said present charter, of the Texas Student Publications, Inc., shall be transferred and conveyed by the Board of Regents to the corporation created under Section 2 above.

* For Exhibit C, see Page 101 .
For Exhibit D, see Page 109 .

RESTATED
ARTICLES OF INCORPORATION
(with amendment)
OF
TEXAS STUDENT PUBLICATIONS, INC.

1. Texas Student Publications, Inc., pursuant to the provisions of Article 4.06 of the Texas Non-Profit Corporation Act, hereby adopts Restated Articles of Incorporation which accurately copy the Articles of Incorporation and all amendments thereto that are in effect to date and as further amended by such Restated Articles of Incorporation as hereinafter set forth and which contain no other change in any provision thereof.

2. The Articles of Incorporation of the corporation are amended by the Restated Articles of Incorporation as follows:

(a) A new Article II is added to read as follows:

II.

The corporation is a nonprofit corporation.

(b) Present Article III is amended to read as follows:

III.

The principal place of business of this corporation shall be Travis County, Texas.

(c) Present Article IV is amended to read as follows:

IV.

This corporation shall exist for a period of ten (10) years unless, before the expiration of ten years, there is a final judicial determination that any provision of these Articles of Incorporation is invalid. In the event of such a final judicial determination, this corporation shall cease to exist and its assets shall be distributed in accordance with Article XV of these Articles.

(d) A new Article V is added to read as follows:

V.

The corporation shall have no members.

(c) Present Article II is renumbered to be Article VI and is amended to read as follows:

VI.

The purpose for which this corporation is formed is to issue, publish, and distribute, for the students, the student publications of The University of Texas at Austin, presently consisting of The Daily Texan, The Summer Texan, The Texas Ranger Magazine, Cactus, Peregrinus, Texas Engineering and Science Magazine, Riata, and such publications as may hereafter be authorized by the Board of Directors of the corporation, and to transact any other business connected with such publication, all pursuant to the Rules and Regulations of the Board of Regents of The University of Texas System appertaining thereto.

(f) Present Article V is renumbered to be Article VII and is amended to read as follows:

VII.

The management of the affairs of this corporation shall be vested in a Board of Directors of eleven voting members constituted as follows:

(1) Four undergraduate students out of the Journalism Department of The University of Texas at Austin elected (two to be elected in even-numbered years and two to be elected in odd-numbered years after the initial election; at the initial election under these Articles all four shall be elected with provision for staggered terms as hereinafter set out) by those students certified by the chairman of such department as being journalism majors. Said election is to be held at least three weeks before the spring government election each year pursuant to the rules established by the Board of Directors. No student shall be eligible to be a candidate for a position on the Board of Directors unless he has completed or will have completed by the end of the spring semester in which the election is held twelve hours of journalism courses; is in good standing (not on scholastic probation); and has completed at least one semester in residence in the long term at The University of Texas at Austin. The eligibility of a candidate must be certified by the Chairman of the Department of Journalism prior to the time of said election.

(2) Two undergraduate students elected at large from the student body of The University of Texas at Austin (one to be elected in even-numbered years and one to be elected in odd-numbered years after the initial election; at the first election under these Articles both shall be elected with

provision for staggered terms as hereinafter set out) at the same time as the editors of the publications published by the Board of Directors of this corporation pursuant to Article VIII of these Articles of Incorporation. If the President of the Students' Association is not one of the students elected at the election, then the President of the Students' Association shall serve as an ex officio member of the Board of Directors of this corporation without vote.

(3) Two members of the faculty out of the voting faculty of the Department of Journalism and one member of the faculty out of the voting faculty of The University of Texas at Austin, preferably a voting member of the faculty of the College of Business Administration, all three to be appointed directly by the President of The University of Texas at Austin.

(4) Two professional newspapermen appointed by the President of The University of Texas at Austin.

Voting members of the Board of Directors shall serve a term of two years beginning June 1 of each calendar year.

However, in order to provide staggered terms, the following procedure shall be used concerning the first Board of Directors selected under this Article of these Articles of Incorporation to take office June 1, 1972:

(1) The four journalism students elected from the Department of Journalism shall draw lots in the presence of a quorum of the Board of Directors of this corporation to determine which two shall serve initial terms of one year and which two shall serve initial terms of two years.

(2) The two undergraduate students elected at large from the student body of The University of Texas at Austin shall draw lots in the presence of a quorum of the Board of Directors of this corporation to determine which one shall serve an initial term of one year and which one will serve an initial term of two years.

(3) The President of The University of Texas at Austin shall appoint one of the faculty out of the Department of Journalism for an initial term of one year and he shall appoint the other journalism faculty member for an initial term of two years.

The President of The University of Texas at Austin shall appoint the remaining faculty member for an initial term of two years.

(4) The President of The University of Texas at Austin shall appoint one of the professional newspapermen for an initial term of one year and he shall appoint the other professional newspaperman for an initial term of two years.

Should any voting member or members of the Board of Directors resign, become ineligible or for any other reason fail to serve, the President of The University of Texas at Austin shall, after consultation with the Board of Directors, select a successor or successors to fill said unexpired term.

In addition to the aforementioned voting members of the Board of Directors, the following persons shall serve as ex officio, nonvoting members: the Dean of Students or his representative; the Editorial Manager of The Daily Texan; the General Manager of the corporation; the Editor and Managing Editor of The Daily Texan; and the student editors of all other publications of this corporation published pursuant to Article VI of these Articles of Incorporation.

The number and method of selection of directors of this corporation may be changed only by amendment to these Articles of Incorporation.

(g) A new Article VIII is added to read as follows:

VIII.

At least three weeks prior to the spring student government elections there shall be a student publications election on the campus of The University of Texas at Austin. At such election there shall be elected the editor of every publication published by the Board of Directors of this corporation at which every student enrolled in The University of Texas at Austin shall be entitled to vote, except for the editor of The Peregrinus, who shall be elected by the students certified enrolled in the School of Law at an election conducted in the School of Law pursuant to rules established by the Board of Directors of this corporation. There shall also be elected at this election the two student members of the Board of Directors of this corporation (one student to be elected each year after the first spring election) provided in Item 2 of Article VII of these Articles of Incorporation.

The eligibility of a candidate must be certified to by the Texas Student Publications Board on standards set in their Handbook (bylaws) prior to the time of said election. The Texas Student Publications Board shall set out in its Handbook the conditions under which said elections may be held, including length of the campaign. If no candidate qualifies for a particular editorship, the Texas Student Publications Board shall appoint the editor.

All editors elected at this election shall serve for a term of one year beginning June 1.

By the affirmative vote of seven (7) members of the Board of Directors of this corporation the procedure for the selection of the editor of

any publication published by this corporation, except the Editor of The Daily Texan, may be changed to provide for an editor appointed by the Board of Directors.

Should any editor resign, become ineligible, or for any other reason fail to serve, the Board of Directors of this corporation shall select a qualified successor or successors to fill the unexpired term.

(h) A new Article IX is added to read as follows:

IX.

The officers of the Board of Directors shall be President, Vice President, Secretary, and Treasurer, and such other officers as the Board of Directors may from time to time find necessary to carry on the business of the corporation. Officers shall be elected from among the voting members of the Board of Directors and shall serve a term of one year and shall be subject to reelection for an additional one-year term.

(i) Present Article VI is renumbered to be Article X and Article XI to read as follows:

X.

The Board of Directors shall have the power: (1) to acquire and maintain sufficient assets to guarantee the proper and responsible conduct of the business; to make or to authorize the General Manager to make contracts for the transaction of any business for the publications; to receive, manage, or disburse all funds accruing to the corporation pursuant to budgets for the operation of all publications. (2) Subject to the prior approval of the Board of Regents of The University of Texas System, to borrow money for the operation of the publications, or to invest funds of the corporation. (3) To appoint the Managing Editor of The Daily Texan from qualified journalism students. (4) To take disciplinary action against the editors or editorial workers, including the removal from office, after due notice, for a violation of the policies of the Board of Directors or for nonperformance of duties; such removal shall require seven (7) affirmative votes. Action of the Board of Directors in the matter of appointment and removal of editors shall be final and complete. (5) To determine the character and policies of all student publications.

The Board of Directors shall conduct its meetings in strict adherence to Robert's Rules of Order.

XI.

It shall be the duty of the Board of Directors to furnish to the President of The University of Texas at Austin monthly and annual operating statements and annual balance sheets reflecting the operations of the corporation. It shall further be the duty of the Board of Directors to furnish on request from the Board of Regents of The University of Texas System, the Chancellor of The University of Texas System, or the President of The University of Texas at Austin, within two weeks of such request, a report, and, if required, liabilities of the corporation along with any other data concerning the corporation's business that may be deemed pertinent by the one making such request.

(j) Present Article VII is renumbered to be Article XII and is amended to read as follows:

XII.

There shall be an Executive Committee of the Board of Directors to be composed of three faculty and two journalism students to be elected by the Board of Directors from its membership.

The Executive Committee shall appoint a General Manager who shall be elected annually during the month of May for the fiscal year beginning September 1. The Executive Committee will determine the compensation of the General Manager. The duties of the General Manager shall be prescribed by the Executive Committee, subject to basic policies set forth by the Board.

The Editorial Manager(s) will be selected by the Executive Committee, subject to basic policies set forth by the Board of Directors. The Executive Committee will determine the compensation of the Editorial Manager. The Editorial Manager(s) shall be authorized to coordinate the activities of The Daily Texan and the Department of Journalism so as to secure the most effective use of the journalism laboratories and classes in the preparation of material for The Daily Texan.

The Executive Committee shall fix the compensation of all editorial workers on student publications subject to the final approval of the Board of Directors at their next regular meeting. The Executive Committee shall appoint all managing editors of every publication except The Daily Texan and shall fix their compensation subject to final approval of the Board of Directors at their next regular meeting.

The Executive Committee is authorized to implement, and is responsible for implementation of, the policies of the Board of Directors between meetings of the Board of Directors.

(k) A new Article XIII is added to read as follows:

XIII.

A definitive relationship between the Department of Journalism of The University of Texas at Austin and The Daily Texan published by this corporation must exist if the purposes of this charter are to be fulfilled. Accordingly, upon the filing with and acceptance by the Secretary of State of this charter, the "operating procedure" attached hereto as Exhibit "A" shall become effective. The operating procedure may be amended from time to time by mutual agreement between the Department of Journalism, through its chairman, and the Board of Directors, with the concurrence of the President of The University of Texas at Austin.

(l) A new Article XIV is added to read as follows:

XIV.

There shall be established within the Board of Directors a Review Committee which shall be composed of one member of the journalism faculty, one journalism student, and one professional newspaperman. Such members are to be elected by the Board of Directors out of its membership.

All appeals on material withheld from publications by the Editorial Manager or respective publications supervisors should be considered by the Review Committee within 24 hours of the action. A decision of the Review Committee can be appealed to the Board of Directors, but seven affirmative votes are required to overrule said decision of the Review Committee. Action of the Board of Directors in matters on appeal shall be final and complete.

(m) Present Article IX is renumbered to be Article XV and to read as follows:

XV.

On the dissolution of this corporation, by limitation or otherwise, its assets shall pass to the Board of Regents of The University of Texas System in trust for The University of Texas at Austin.

(n) Present Article X is renumbered to be Article XVI and to read as follows:

XVI.

All amendments to the Charter of Texas Student Publications, Inc., shall be adopted by a majority vote of the Board of Directors of said corporation in compliance with law and approved by the Board of Regents of The University of Texas System and submitted to the Secretary of State by the Secretary of the Board of Regents of The University of Texas System.

(o) A new Article XVII is added to read as follows:

XVII.

Notwithstanding any other provision of this charter, all actions and proceedings under the provisions of this charter shall be subject to the Rules and Regulations of the Board of Regents of The University of Texas System.

(p) A new Article XVIII is added to read as follows:

XVIII.

This Article contains interim provisions.

The President of The University of Texas at Austin shall make interim appointments of faculty members and professional journalists to the Board of Directors of this corporation immediately after the filing of these Articles with the Secretary of State of the State of Texas. Each of these appointees shall serve until June 1, 1972.

Until such time as the necessary elections are held under the provisions of this charter, the President of The University of Texas at Austin, after consultation with the present Texas Student Publications, Inc., Board of Directors shall make interim appointments of all students who shall serve on this Board of Directors. Each of these appointees shall serve until June 1, 1972.

The Editor of The Daily Texan who was elected at the spring election in 1971 shall serve as the Editor of The Daily Texan under these Articles of Incorporation until such time as the term for which the Editor was elected expires; but the Editor's service shall be fully subject to these Articles of Incorporation and the bylaws of the corporation.

The editors of all other publications who have been selected shall serve as the editors of the respective publications for which they were selected until their terms expire. After the expiration of any term, the Texas Student Publications Board shall make such interim appointments as are necessary to bring the terms of the editorships of said publications to a uniform June 1 expiration date.

(q) The Articles of Incorporation are hereby amended by deleting therefrom Article VIII which reads as follows:

VIII.

Capital Stock

No capital stock shall be issued, the funds of the corporation being made up of such securities, equipment, real estate, profits and increments as may accrue from year to year through its operation.

3. Each such amendment made by these Restated Articles of Incorporation has been effected in conformity with the provisions of the Texas Non-Profit Corporation Act, and such Restated Articles of Incorporation were duly adopted in the following manner:

The Restated Articles of Incorporation as so amended were adopted at a meeting of the Board of Directors held on _____, 19____, and received the vote of a majority of the Directors in office, there being no members having voting rights in respect thereof.

In accordance with Article X of the Texas Student Publications, Inc., Charter, the Restated Articles of Incorporation as so amended were approved by the vote of a majority of the Board of Regents of The University of Texas System on _____, 19____, and the Secretary of the Board of Regents of The University of Texas System was directed by said Board of Regents to submit the Restated Articles of Incorporation as so amended to the Secretary of State of the State of Texas.

4. The Articles of Incorporation and all amendments and supplements thereto are hereby superseded by the following Restated Articles of Incorporation which accurately copy the entire text thereof and as amended as above set forth:

I.

The name of this corporation shall be the Texas Student Publications, Incorporated.

II.

The corporation is a nonprofit corporation.

III.

The principal place of business of this corporation shall be Travis County, Texas.

IV.

This corporation shall exist for a period of ten (10) years unless, before the expiration of ten years, there is a final judicial determination that any provision of these Articles of Incorporation is invalid. In the event of such

a final judicial determination, this corporation shall cease to exist and its assets shall be distributed in accordance with Article XV of these Articles.

V.

The corporation shall have no members.

VI.

The purpose for which this corporation is formed is to issue, publish, and distribute the student publications of The University of Texas at Austin, presently consisting of The Daily Texan, The Summer Texan, The Texas Ranger Magazine, Cactus, Peregrinus, Texas Engineering and Science Magazine, Riata, and such publications as may hereafter be authorized by the Board of Directors of the corporation, and to transact any other business connected with such publication, all pursuant to the Rules and Regulations of the Board of Regents of The University of Texas System appertaining thereto.

VII.

The management of the affairs of this corporation shall be vested in a Board of Directors of eleven voting members constituted as follows:

- (1) Four undergraduate students out of the Journalism Department of The University of Texas at Austin elected (two to be elected in even-numbered years and two to be elected in odd-numbered years after the initial election; at the initial election under these Articles all four shall be elected with provision for staggered terms as hereinafter set out) by those students certified by the chairman of such department as being journalism majors. Said election is to be held at least three weeks before the spring government election each year pursuant to the rules established by the Board of Directors. No student shall be eligible to be a candidate for a position on the Board of Directors unless he has completed or will have completed by the end of the spring semester in which the election is held twelve hours of journalism courses; is in good standing (not on scholastic probation); and has completed at least one semester in residence in the long term at The University of Texas at Austin. The eligibility of a candidate must be certified to by the Chairman of the Department of Journalism prior to the time of said election.

- (2) Two undergraduate students elected at large from the student body of The University of Texas at Austin (one to be elected in even-numbered years and one to be elected in odd-numbered years after the initial election; at the first election under these Articles both shall be elected with provision for staggered terms as hereinafter set out) at the same time as the editors of the publications published by the Board of Directors of this corporation pursuant to Article VIII of these Articles of Incorporation. If the President of the Students' Association is not one of the students elected at the election, then the President of the Students' Association shall serve as an ex officio member of the Board of Directors of this corporation without vote.
- (3) Two members of the faculty out of the voting faculty of the Department of Journalism and one member of the faculty out of the voting faculty of The University of Texas at Austin, preferably a voting member of the faculty of the College of Business Administration, all three to be appointed directly by the President of The University of Texas at Austin.
- (4) Two professional newspapermen appointed by the President of The University of Texas at Austin.

Voting members of the Board of Directors shall serve a term of two years beginning June 1 of each calendar year.

However, in order to provide staggered terms, the following procedure shall be used concerning the first Board of Directors selected under this Article of these Articles of Incorporation to take office June 1, 1972:

- (1) The four journalism students elected from the Department of Journalism shall draw lots in the presence of a quorum of the Board of Directors of this corporation to determine which two shall serve initial terms of one year and which two shall serve initial terms of two years.
- (2) The two undergraduate students elected at large from the student body of The University of Texas at Austin shall draw lots in the presence of a quorum of the Board of Directors of this corporation to determine which one shall serve an initial term of one year and which one will serve an initial term of two years.
- (3) The President of The University of Texas at Austin shall appoint one of the faculty out of the Department of Journalism for an initial term of one year, and he shall appoint the other journalism faculty member for an initial term of two years.

- (2) Two undergraduate students elected at large from the student body of The University of Texas at Austin (one to be elected in even-numbered years and one to be elected in odd-numbered years after the initial election; at the first election under these Articles both shall be elected with provision for staggered terms as hereinafter set out) at the same time as the editors of the publications published by the Board of Directors of this corporation pursuant to Article VIII of these Articles of Incorporation. If the President of the Students' Association is not one of the students elected at the election, then the President of the Students' Association shall serve as an ex officio member of the Board of Directors of this corporation without vote.

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of two years.

- (3) The President of The University of Texas at Austin shall appoint one of the faculty out of the Department of Journalism for an initial term of one year, and he shall appoint the other journalism faculty member for an initial term of two years.

- (2) Two undergraduate students elected at large from the student body of The University of Texas at Austin (one to be elected in even-numbered years and one to be elected in odd-numbered years after the initial election; at the first election under these Articles both shall be elected with provision for staggered terms as hereinafter set out) at the same time as the editors of the publications published by the Board of Directors of this corporation pursuant to Article VIII of these Articles of Incorporation. If the President of the Students' Association is not one of the students elected at the election, then the President of the Students' Association shall serve as an ex officio member of the Board of Directors of this corporation without vote.
- (3) Two members of the faculty out of the voting faculty of the Department of Journalism and one member of the faculty out of the voting faculty of The University of Texas at Austin, preferably a voting member of the faculty of the College of Business Administration, all three to be appointed directly by the President of The University of Texas at Austin.
- (4) Two professional newspapermen appointed by the President of The University of Texas at Austin.

Voting members of the Board of Directors shall serve a term of two years beginning June 1 of each calendar year.

However, in order to provide staggered terms, the following procedure shall be used concerning the first Board of Directors selected under this Article of these Articles of Incorporation to take office June 1, 1972:

- (1) The four journalism students elected from the Department of Journalism shall draw lots in the presence of a quorum of the Board of Directors of this corporation to determine which two shall serve initial terms of one year and which two shall serve initial terms of two years.
- (2) The two undergraduate students elected at large from the student body of The University of Texas at Austin shall draw lots in the presence of a quorum of the Board of Directors of this corporation to determine which one shall serve an initial term of one year and which one will serve an initial term of two years.
- (3) The President of The University of Texas at Austin shall appoint one of the faculty out of the Department of Journalism for an initial term of one year, and he shall appoint the other journalism faculty member for an initial term of two years.

The President of The University of Texas at Austin shall appoint the remaining faculty member for an initial term of two years.

- (4) The President of The University of Texas at Austin shall appoint one of the professional newspapermen for an initial term of one year, and he shall appoint the other professional newspaperman for an initial term of two years.

Should any voting member or members of the Board of Directors resign, become ineligible or for any other reason fail to serve, the President of The University of Texas at Austin shall, after consultation with the Board of Directors, select a successor or successors to fill said unexpired term.

In addition to the aforementioned voting members of the Board of Directors, the following persons shall serve as ex officio, nonvoting members: the Dean of Students or his representative; the Editorial Manager of The Daily Texan; the General Manager of the corporation; the Editor and Managing Editor of The Daily Texan; and the student editors of all other publications of this corporation published pursuant to Article VI of these Articles of Incorporation.

The number and method of selection of Directors of this corporation may be changed only by amendment to these Articles of Incorporation.

VIII.

At least three weeks prior to the spring student government elections there shall be a student publications election on the campus of The University of Texas at Austin. At such election there shall be elected the editor of every publication published by the Board of Directors of this corporation at which every student enrolled in The University of Texas at Austin shall be entitled to vote, except for the editor of The Peregrinus, who shall be elected by the students certified enrolled in the School of Law at an election conducted in the School of Law

pursuant to rules established by the Board of Directors of this corporation. There shall also be elected at this election the two student members of the Board of Directors of this corporation (one student to be elected each year after the first spring election) provided in Item 2 of Article VII of these Articles of Incorporation.

The eligibility of a candidate must be certified to by the Texas Student Publications Board on standards set in their Handbook (bylaws) prior to the time of said election. The Texas Student Publications Board shall set out in its Handbook the conditions under which said elections may be held, including length of the campaign. If no candidate qualifies for a particular editorship, the Texas Student Publications Board shall appoint the editor.

All editors elected at this election shall serve for a term of one year beginning June 1.

By the affirmative vote of seven (7) members of the Board of Directors of this corporation the procedure for the selection of the editor of any publication published by this corporation, except the Editor of The Daily Texan, may be changed to provide for an editor appointed by the Board of Directors.

Should any editor resign, become ineligible, or for any other reason fail to serve, the Board of Directors of this corporation shall select a qualified successor or successors to fill the unexpired term.

IX.

The officers of the Board of Directors shall be President, Vice President, Secretary, and Treasurer, and such other officers as the Board of Directors may from time to time find necessary to carry on the business of the corporation. Officers shall be elected from among the voting members of the Board of

Directors and shall serve a term of one year and shall be subject to reelection for an additional one-year term.

X.

The Board of Directors shall have the power:

- (1) to acquire and maintain sufficient assets to guarantee the proper and responsible conduct of the business; to make or to authorize the General Manager to make contracts for the transaction of any business for the publications; to receive, manage, or disburse all funds accruing to the corporation pursuant to budgets for the operation of all publications;
- (2) subject to the prior approval of the Board of Regents of The University of Texas System, to borrow money for the operation of the publications, or to invest funds of the corporation;
- (3) to appoint the Managing Editor of The Daily Texan from qualified journalism students;
- (4) to take disciplinary action against the editors or editorial workers, including the removal from office, after due notice, for a violation of the policies of the Board of Directors or for nonperformance of duties; such removal shall require seven (7) affirmative votes; action of the Board of Directors in the matter of appointment and removal of editors shall be final and complete;
- (5) to determine the character and policies of all student publications.

The Board of Directors shall conduct its meetings in strict adherence to Robert's Rules of Order.

XI.

It shall be the duty of the Board of Directors to furnish to the President of The University of Texas at Austin monthly and annual operating statements and annual balance sheets reflecting the operations of the corporation. It shall further be the duty of the Board of Directors to furnish on request from the Board of Regents of The University of Texas System, the Chancellor of The University of Texas System, or the President of The University of Texas at Austin, within two weeks of such request, a report, and, if required, a sworn report,

giving the exact assets and liabilities of the corporation along with any other data concerning the corporation's business that may be deemed pertinent by the one making such request.

XII.

There shall be an Executive Committee of the Board of Directors to be composed of three faculty and two journalism students to be elected by the Board of Directors from its membership.

The Executive Committee shall appoint a General Manager who shall be elected annually during the month of May for the fiscal year beginning September 1. The Executive Committee will determine the compensation of the General Manager. The duties of the General Manager shall be prescribed by the Executive Committee, subject to basic policies set forth by the Board.

The Editorial Manager(s) will be selected by the Executive Committee, subject to basic policies set forth by the Board of Directors. The Executive Committee will determine the compensation of the Editorial Manager. The Editorial Manager(s) shall be authorized to coordinate the activities of The Daily Texan and the Department of Journalism so as to secure the most effective use of the journalism laboratories and classes in the preparation of material for The Daily Texan.

The Executive Committee shall fix the compensation of all editorial workers of student publications subject to the final approval of the Board of Directors at their next regular meeting. The Executive Committee shall appoint all managing editors of every publication except The Daily Texan and shall fix their compensation subject to final approval of the Board of Directors at their next regular meeting.

The Executive Committee is authorized to implement, and is responsible for implementation of, the policies of the Board of Directors between meetings of the Board of Directors.

XIII.

A definitive relationship between the Department of Journalism of The University of Texas at Austin and The Daily Texan published by this corporation must exist if the purposes of this charter are to be fulfilled. Accordingly, upon the filing with and acceptance by the Secretary of State of this charter, the "operating procedure" attached hereto as Exhibit "A" shall become effective. The operating procedure may be amended from time to time by mutual agreement between the Department of Journalism, through its chairman, and the Board of Directors, with the concurrence of the President of The University of Texas at Austin.

XIV.

There shall be established within the Board of Directors a Review Committee which shall be composed of one member of the journalism faculty, one journalism student, and one professional newspaperman. Such members are to be elected by the Board of Directors out of its membership.

All appeals on material withheld from publications by the Editorial Manager or respective publications supervisors should be considered by the Review Committee within 24 hours of the action. A decision of the Review Committee can be appealed to the Board of Directors, but seven (7) affirmative votes are required to overrule said decision of the Review Committee. Action of the Board of Directors in matters on appeal shall be final and complete.

XV.

On the dissolution of this corporation, by limitation or otherwise, its assets shall pass to the Board of Regents of The University of Texas System in trust for The University of Texas at Austin.

XVI.

All amendments to the Charter of Texas Student Publications, Inc., shall be adopted by a majority vote of the Board of Directors of said corporation in compliance with law and approved by the Board of Regents of The University of Texas System and submitted to the Secretary of State by the Secretary of the Board of Regents of The University of Texas System.

XVII.

Notwithstanding any other provision of this charter, all actions and proceedings under the provisions of this charter shall be subject to the Rules and Regulations of the Board of Regents of The University of Texas System.

XVIII.

This Article contains interim provisions.

The President of The University of Texas at Austin shall make interim appointments of faculty members and professional journalists to the Board of Directors of this corporation immediately after the filing of these Articles with the Secretary of State of the State of Texas. Each of these appointees shall serve until June 1, 1972.

Until such time as the necessary elections are held under the provisions of this charter, the President of The University of Texas at Austin, after consultation with the present Texas Student Publications, Inc., Board of Directors shall make interim appointments of all students who shall serve on this Board of Directors. Each of these appointees shall serve until June 1, 1972.

The Editor of The Daily Texan who was elected at the spring election in 1971 shall serve as the Editor of The Daily Texan under these Articles of Incorporation until such time as the term for which the Editor was elected expires; but the Editor's service shall be fully subject to these Articles of Incorporation and the bylaws of the corporation.

The editors of all other publications who have been selected shall serve as the editors of the respective publications for which they were selected until their terms expire. After the expiration of any term, the Texas Student Publications Board shall make such interim appointments as are necessary to bring the terms of the editorships of said publications to a uniform June 1 expiration date.

XIX.

The nine (9) persons who are presently serving as the Board of Directors of this corporation, and who shall continue to serve until appointments are made under Article XVIII of this charter, are as follows:

<u>NAME</u>	<u>ADDRESS</u>
Mr. Bob Binder	Students' Association Union Building 323 The University of Texas at Austin Austin, Texas 78712
Dr. Norris Davis	3303 River Road Austin, Texas 78703
Dr. Charles Bonjean	Route 8, Box 428 Austin, Texas 78703
Dr. Eugene Sauls	5801 Westslope Austin, Texas 78731
Dr. Frank Pierce	4202 Venabo Austin, Texas 78731
Mr. Randall Hollis	1225 Westheimer, Apt. 23 Austin, Texas 78723
Mr. David Mincberg	2600 Rio Grande Austin, Texas 78705
Mr. Tim Donahue	3509 Cherry Lane Austin, Texas 78703
Mr. John Fox	401 West 38th Austin, Texas 78705

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XIX.

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Austin, Texas 78703

Mr. John Fox

401 West 38th
Austin, Texas 78705

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Mr. Randall Hollis	1225 Westheimer, Apt. 23 Austin, Texas 78723
Mr. David Mindberg	2600 Rio Grande Austin, Texas 78705
Mr. Tim Donahue	3509 Cherry Lane Austin, Texas 78703
Mr. John Fox	401 West 38th Austin, Texas 78705

Dated _____, 19__.

TEXAS STUDENT PUBLICATIONS, INC.

By _____
Its Chairman (there being no
President)

By _____
Its Secretary

BOARD OF REGENTS OF THE UNIVERSITY
OF TEXAS SYSTEM

By _____
Chairman

By _____
Secretary

THE STATE OF TEXAS }
 }
COUNTY OF TRAVIS }

I, _____, a Notary Public, do
hereby certify that on this _____ day of _____, 19__,
personally appeared before me _____,
being duly sworn, declared that he is _____ of
the corporation executing the foregoing document, that he signed
the foregoing document in the capacity therein set forth, and
that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal
the day and year before written.

Notary Public in and for
Travis County, Texas

THE STATE OF TEXAS }
COUNTY OF TRAVIS }

I, _____, a Notary Public, do hereby certify that on this _____ day of _____, 19____, personally appeared before me _____, being duly sworn, declared that he is _____ of the corporation executing the foregoing document, that he signed the foregoing document in the capacity therein set forth, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year before written.

Notary Public in and for
Travis County, Texas

THE OPERATING PROCEDURE
of
THE DAILY TEXAN
with
THE DEPARTMENT OF JOURNALISM
of
THE UNIVERSITY OF TEXAS AT AUSTIN

Section 1. GENERAL. (a) In promulgation of the Operating Procedure of The Daily Texan with The Department of Journalism of The University of Texas at Austin, the essential authority and responsibility delegated to student editors is restated at the outset: in all matters of news and editorial content, the student editors will exert final judgment in day-to-day operations except those matters on appeal. In all matters relating to appeals of editorial and news content of student publications, the Board of Directors of Texas Student Publications, Inc., is the final arbiter.

(b) The Chairman of the Journalism Department shall assign faculty members to counsel and work with The Daily Texan staff members who have day-to-day responsibility for general news assignments, editing, and makeup of the general portion of the Texan. The Chairman of the Journalism Department shall also make available faculty members to work with special departments of the Texan on request.

(c) The faculty members may not be censors. The faculty members shall be directed by the Chairman of the Journalism Department and authorized by the Board of Directors of Texas Student Publications, Inc., however, to see that students working in Journalism Laboratories associated with The Daily Texan carry out the provisions of Texas Student Publications, Inc., Charter and Handbook to the letter.

(d) The faculty members shall function in a positive manner assisting student editors and collaborating with students in the development of story assignments from inception to final publication. As part of this function, the faculty members shall relate to student editors information designed to achieve the best possible techniques and results in the areas of reporting, photography, editing, and makeup. Dialogue with competent faculty with previous professional experience is expected to prevent mistakes which could be embarrassing to the student editors.

(e) The Board of Directors of Texas Student Publications, Inc., shall direct its student staff and permanent staff to cooperate with respective faculty members appointed by the Chairman of the Journalism Department.

Section 2. ASSIGNMENT SHEETS. To avoid duplication of interviews and reporting, the Reporting Laboratory Supervisor of The Department of Journalism and the Texan Managing Editor, or his designated representative, in cooperation with each other, shall provide the assignment sheets for The Daily Texan.

Section 3. COPY FROM REPORTING LABORATORY. Any news copy turned over to the Texan staff from a student in the Reporting Laboratory may not be altered in meaning or changed substantially by the Texan staff without consulting with the Reporting Laboratory Supervisor or the student reporter except as the change relates to length. News copy deemed unsatisfactory may be rejected and returned for improvement or reassigned by the Editor of The Daily Texan.

Section 4. RIGHT TO HOLD COPY. As set out in the Handbook of Texas Student Publications, Inc., the Editorial Manager of Texas Student Publications, Inc., may hold any copy that is deemed libelous or not in accord with the policies of Texas Student Publications, Inc. In the case of material or copy

produced as an academic assignment in a class, in the Reporting Laboratory, or the Editing Laboratory, any faculty member assigned to work with the staff of The Daily Texan under the provisions of Section 1 of this Procedure or the Editorial Manager of Texas Student Publications, Inc., may hold such material or copy that is deemed by such faculty member or Editorial Manager to be libelous or not in accord with the policies of the Texan as set out in the Handbook of Texas Student Publications, Inc. Immediately after this action, the person holding the copy shall report his exercise of that privilege to the Editor or Managing Editor of The Daily Texan. The Editor or the Managing Editor may submit the copy to the Review Committee established by the charter of Texas Student Publications, Inc., and, if overruled by the Review Committee, to the Board of Directors for their decision, all under the provisions of the charter of Texas Student Publications, Inc. Appeals may be made only at the request of the Editor or Managing Editor.

ARTICLES OF INCORPORATION

OF

THE UNIVERSITY OF TEXAS AT AUSTIN STUDENT PUBLICATIONS, INC.

We, the undersigned, natural persons of the age of twenty-one (21) years or more, at least two (2) of whom are citizens of the State of Texas, acting as incorporators of a nonprofit corporation under the Texas Non-Profit Corporation Act do hereby adopt the following Articles of Incorporation for such nonprofit corporation.

I.

The name of this corporation shall be
THE UNIVERSITY OF TEXAS AT AUSTIN STUDENT
PUBLICATIONS, INC.

II.

The corporation is a nonprofit educational corporation.

III.

The principal place of business of this
corporation shall be Travis County, Texas.

IV.

This corporation shall exist for a period of
ten (10) years unless, before the expiration
of ten years, there is a final judicial deter-
mination that any provision of these Articles of
Incorporation is invalid. In the event of
such a final judicial determination, this
corporation shall cease to exist and its assets
shall be distributed in accordance with Article
XV of these Articles.

V.

The corporation shall have no members.

VI.

The purpose for which this corporation is formed is to issue, publish, and distribute the student publications of The University of Texas at Austin, presently consisting of The Daily Texan, The Summer Texan, The Texas Ranger Magazine, Cactus, Peregrinus, Texas Engineering and Science Magazine, Riata, and such publications as may hereafter be authorized by the Board of Directors of the corporation, and to transact any other business connected with such publication, all pursuant to the Rules and Regulations of the Board of Regents of The University of Texas System appertaining thereto.

VII.

The street address of its initial registered office is _____, and the name of its initial registered agent at that address is _____

VIII.

The management of the affairs of this corporation, subject to the Rules and Regulations of the Board of Regents of The University of Texas System, shall be vested in a Board of Directors of eleven members constituted as follows:

(1) Four undergraduate students out of the Journalism Department of The University of Texas at Austin to be elected annually by those students certified by the Chairman of such department as being journalism majors. Said election is to be held in the spring of each calendar year pursuant to the rules established by the Board of Directors. No student shall be eligible to be a candidate for a position on the Board of Directors unless he has completed or will have completed by the end of the spring semester in which the election is held twelve hours of journalism courses; is in good standing (not on scholastic probation); and has completed at least one semester in residence in the long term at The University of Texas at Austin. The eligibility of a candidate must be certified to by the Chairman of the Department of Journalism prior to the time of said election.

(2) Two undergraduate students elected at large from the student body of The University of Texas at Austin at a spring student publications election to be held at least three weeks prior to the spring student government elections on the campus of The University of Texas at Austin. The Board of Directors shall set out in its Handbook (bylaws) the conditions under which this election shall be held including the length of the campaign. If the President of the Students' Association is not one of the students elected at this election, then the President of the Students' Association shall serve as an ex officio member of the Board of Directors without vote.

(3) Two members of the faculty out of the voting faculty of the Department of Journalism and one member of the faculty of the voting faculty of The University of Texas at Austin, preferably a voting member of the faculty of the College of Business Administration, all three to be appointed directly by the President of the University of Texas at Austin.

(4) Two professional newspapermen appointed by the President of The University of Texas at Austin.

All members of the Board of Directors shall serve a term of one year beginning June 1 of each calendar year.

Should any voting member or members of the Board of Directors resign, become ineligible or for any other reason fail to serve, the President of The University of Texas at Austin shall, after consultation with the Board of Directors, select a successor or successors to fill said unexpired term.

In addition to the aforementioned voting members of the Board of Directors, the following persons shall serve as ex officio, non-voting members: The Dean of Students or his representative; the Editorial Manager of the corporation; the General Manager of the corporation; the editor and managing editor of The Daily Texan; and the student editors of all other publications of this corporation published pursuant to Article VI of these Articles of Incorporation.

The number and method of selection of Directors of this corporation may be changed only by amendment to these Articles of Incorporation.

IX.

The officers of the Board of Directors shall be President, Vice President, Secretary, and Treasurer, and such other officers as the Board of Directors may from time to time find necessary to carry on the business of the corporation. Officers shall be elected from among the voting members of the Board of Directors at the first meeting after their election.

X.

The Board of Directors shall have the power:

- (1) to acquire and maintain sufficient assets to guarantee the proper and responsible conduct of the business; to make or to authorize the General Manager to make contracts for the transaction of any business for the publications; to receive, manage, or disburse all funds accruing to the corporation pursuant to budgets for the operation of all publications.
- (2) Subject to the prior approval of the Board of Regents of The University of Texas System, to borrow money for the operation of the publications, or to invest funds of the corporation.
- (3) To appoint the editor and the managing editor of The Daily Texan from qualified journalism students.
- (4) To take disciplinary action against the editors or editorial workers including the removal from office, after due notice, for a violation of the policies of the Board of Directors or for non-performance of duties; such removal shall require a majority vote of the full Board of Directors. Action of the Board of Directors in matters of appointment, discipline and removal of Editors shall be final and complete.
- (5) To determine the character and policies of all student publications.

The Board of Directors shall conduct its meetings in strict adherence to Robert's Rules of Order.

XI.

It shall be the duty of the Board of Directors to furnish to the President of The University of Texas at Austin monthly and annual operating statements and annual balance sheets reflecting the operations of the corporation. It shall further be the duty of the Board of Directors to furnish on request from the Board of Regents of The University of Texas System, the Chancellor of The University of Texas System, or the President of The University of Texas at Austin, within two weeks of such request, a report, and if required, a sworn report, giving the exact assets and liabilities of the corporation along with any other data concerning the corporation's business that may be deemed pertinent by the one making such request.

XII.

There shall be an Executive Committee of the Board of Directors to be composed of three faculty and two journalism students to be elected by the Board of Directors from its membership.

The Executive Committee shall appoint a General Manager who shall be elected annually during the month of May for the fiscal year beginning September 1. The Executive Committee will determine the compensation of the General Manager. The duties of the General Manager shall be prescribed by the Executive Committee, subject to basic policies set forth by the Board.

The Editorial Manager(s) will be selected by the Executive Committee, subject to basic policies set forth by the Board of Directors. The Executive Committee will determine the compensation of the Editorial Manager. The Editorial Manager(s) shall be authorized to coordinate the activities of The Daily Texan and the Department of Journalism so as to secure the most effective use of the journalism laboratories and classes in the preparation of material for The Daily Texan.

The Executive Committee shall appoint and fill all vacancies for editor and managing editor of every publication (except The Daily Texan), subject to final approval of the Board of Directors at their next regular meeting. The Executive Committee shall also fix the compensation of all editorial workers (including the editor and managing editor of The Daily Texan) on student publications subject to the final approval of the Board of Directors at their next regular meeting. Appointees of the Executive Committee shall assume their duties subject to final approval of the Board of Directors.

The Executive Committee is authorized to implement, and is responsible for implementation of, the policies of the Board of Directors between meetings of the Board of Directors.

XIII.

A definitive relationship between the Department of Journalism of The University of Texas at Austin and The Daily Texan published by this corporation must exist if the purposes of this charter are to be fulfilled. Accordingly, upon the filing with and acceptance by the Secretary of State of this charter, the "operating procedure" attached hereto as Exhibit "A" shall become effective. The operating procedure may be amended from time to time by mutual agreement between the Department of Journalism, through its chairman, and the Board of Directors, with the concurrence of the President of The University of Texas at Austin. In the event the Chairman of the Department and the Board of Directors are unable to agree on amendments, the President of The University of Texas at Austin shall make the final decision.

XIV.

There shall be established within the Board of Directors a Review Committee which shall be composed of one member of the journalism faculty, one journalism student, and one professional newspaperman. Such members are to be elected by the Board of Directors out of its membership.

All appeals on material withheld from publication by the Editorial Manager or respective publications supervisors should be considered by the Review Committee within 24 hours of the action. A decision of the Review Committee can be appealed to the Board of Directors but seven (7) affirmative votes are required to overrule said decision of the Review Committee. Action of the Board of Directors in matters on appeal shall be final and complete.

XV.

On the dissolution of this corporation by limitation or otherwise, its assets shall pass to the Board of Regents of The University of Texas System in trust for The University of Texas at Austin.

XVI.

All amendments to the Charter of The University of Texas at Austin Student Publications, Inc., shall be adopted by a majority vote of the Board of Directors of said corporation in compliance with law and approved by the Board of Regents of The University of Texas System and submitted to the Secretary of State by the Secretary of the Board of Regents of The University of Texas System.

XVII.

Notwithstanding any other provision of this charter, all actions and proceedings under the provisions of this charter shall be subject to the Rules and Regulations of the Board of Regents of The University of Texas System.

XVIII.

The number of directors constituting the initial board of directors of the corporation is three, and the names and addresses of the persons who are to serve as the initial directors are:

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____

XIX.

The names and addresses of the incorporators are as follows:

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 1971.

THE STATE OF TEXAS X

THE COUNTY OF TRAVIS X

I, _____, a Notary Public, do hereby certify that on this _____ day of _____, 1971, personally appears before me _____, _____, and _____ who each being by me first duly sworn, declared that they are the persons who signed the foregoing documents as incorporators, and that the statements therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

 Notary Public in and for Travis County,
 Texas

THE OPERATING PROCEDURE
of
THE DAILY TEXAN
with
THE DEPARTMENT OF JOURNALISM
of
THE UNIVERSITY OF TEXAS AT AUSTIN

Section 1. GENERAL. (a) In promulgation of the Operating Procedure of The Daily Texan with The Department of Journalism of The University of Texas at Austin, the essential authority and responsibility delegated to student editors is restated at the outset: in all matters of news and editorial content, the student editors will exert final judgment in day-to-day operations except those matters on appeal. In all matters relating to appeals of editorial and news content of student publications, The University of Texas at Austin Student Publications Board is the final arbiter.

(b) The Chairman of the Journalism Department shall assign faculty members to counsel and work with The Daily Texan staff members who have day-to-day responsibility for general news assignments, editing, and makeup of the general portion of the Texan. The Chairman of the Journalism Department shall also make available faculty members to work with special departments of the Texan on request.

(c) The faculty members may not be censors. The faculty members shall be directed by the Chairman of the Journalism Department and authorized by the Board of Directors of The University of Texas at Austin Student Publications, Inc., however, to see that students working in Journalism Labs associated with The Daily Texan carry out the provisions of The University of Texas at Austin Student Publications, Inc. Charter and Handbook to the letter.

(d) The faculty members shall function in a positive manner assisting student editors and collaborating with students in the development of story assignments from inception to final publication. As part of this function, the faculty members shall relate to student editors information designed to achieve the best possible techniques and results in the areas of reporting, photography, editing, and makeup. Dialogue with competent faculty with previous professional experience is expected to prevent mistakes which could be embarrassing to the student editors.

(e) The Board of Directors of The University of Texas at Austin Student Publications, Inc. shall direct its student staff and permanent staff to cooperate with the respective faculty

members appointed by the Chairman of the Journalism Department.

Section 2. ASSIGNMENT SHEETS. To avoid duplication of interviews and reporting, the Reporting Laboratory Supervisor of The Department of Journalism and the Texan Managing Editor, or his designated representative, in cooperation with each other, shall provide the assignment sheets for The Daily Texan.

Section 3. COPY FROM REPORTING LABORATORY. Any news copy turned over to the Texan staff from a student in the Reporting Laboratory may not be altered in meaning or changed substantially by the Texan staff without consulting with the Reporting Laboratory Supervisor or the student reporter except as the change relates to length. News copy deemed unsatisfactory may be rejected and returned for improvement or reassigned by the Editor of The Daily Texan.

Section 4. RIGHT TO HOLD COPY. As set out in the Handbook of The University of Texas at Austin Student Publications, Inc. the Editorial Manager of The University of Texas at Austin Student Publications, Inc. may hold any copy that is deemed libelous or not in accord with the policies of The University of Texas at Austin Student Publications, Inc. In the case of material or copy produced as an academic assignment in a class, in the reporting laboratory, or the editing laboratory, any faculty member assigned to work with the staff of The Daily Texan under the provisions of Section 1 of this Procedure or the Editorial Manager of The University of Texas at Austin Student Publications may hold such material or copy that is deemed by such faculty member or Editorial Manager to be libelous or not in accord with the policies of the Texan as set out in the Handbook of The University of Texas at Austin Student Publications, Inc. Immediately after this action, the person holding the copy shall report his exercise of that privilege to the Editor or Managing Editor of The Daily Texan. The Editor or the Managing Editor may submit the copy to the Review Committee established by the charter of The University of Texas at Austin Student Publications, Inc. and, if overruled by the Review Committee, to the Board of Directors for their decision, all under the provisions of the charter of The University of Texas at Austin Student Publications, Inc. Appeals may be made only at the request of the Editor or Managing Editor.

In response to Chairman Peace's request, the following had registered with the Secretary to be heard when the discussion of the charter for the Texas Student Publications, Inc., was presented:

Tom Rioux, Senator-at-Large
 Jack Maguire, Executive Director,
 Ex-Students' Association
 Bob Binder, President of the Student Association
 Norris Davis, Chairman of the Department
 of Journalism
 Cliff Avery, Journalism Student
 Lori Rodriguez, Editor of The Daily Texan
 Andy Yemma, Former Editor of The Daily Texan

Following those listed above, Mr. Bill Bellamy, Editor of The San Antonio Light, and Chairman of the newspaper consultants that had been appointed by Chancellor LeMaistre to study all of the publications of The University of Texas System summarized the overall feeling of the 14 member panel emphasizing that certainly this committee wants to preserve a student newspaper on the campus that is responsibly edited and supervised, does not want censorship, and feels that The Daily Texan should be a major part of an effective overall journalism program. Mr. Bellamy emphasized that with these objectives, the committee was not unanimous, but the committee was unanimously convinced that censorship is not intended in the recommendations presented by Chancellor LeMaistre and that they believe that the spirit of the whole transaction is to have a student operated on-campus Daily Texan.

In response to Chairman Peace's inquiry, Mr. Bellamy said that he did not find in the proposal any element of a deprivation of freedom of speech.

The motion previously made by Regent Garrett to adopt the resolution (Pages 75-77) was seconded by Regent Williams and adopted without objection.

Upon a motion duly made and seconded, the recommendation of Chancellor LeMaistre that the request of the Board of Directors of the Texas Student Publications, Inc., for rechartering the present charter in perpetuity be disapproved was approved without objection.

Statement by Chairman John Peace

Now that this matter has been resolved, I think a few things need to be placed in a proper perspective.

Last fall Dr. LeMaistre began a study of student newspapers throughout the United States with particular attention to those relationships which would ensure the continuation and enhancement of the necessary academic interrelationships between student publications and journalism teaching.

In January, looking toward the expiration of the Texas Student Publications charter on July 6, this Board directed Dr. LeMaistre to make a thorough study of student publications at The University of Texas at Austin, at U. T. El Paso, and at U. T. Arlington. Since time was short, with the pressure of the expiring charter, Dr. LeMaistre focused his initial study on the Austin campus. The Regents asked Dr. LeMaistre, through the good offices of the Texas Daily Newspaper Association and the Texas Press Association, to name a panel of editors to assist him in this study which was to focus upon the relationship of student publications -- particularly The Daily Texan -- to the Journalism Department.

The administration and every member of this Board were certainly aware of the tradition of a student-controlled and student-operated newspaper on the U. T. Austin campus, and, traditionally, this newspaper had always been governed by a student-controlled board. As I saw the operation then, and as I see it now, the Board of Regents in their stewardship of state resources and facilities are the owners; the student-controlled Board is the publisher; and the student editor is the employee of the publishing board.

No sooner had Dr. LeMaistre begun his study than we began hearing charges that the Regents were bent on destroying, censoring, or drastically changing The Daily Texan.

The proposal adopted today is the complete answer to those charges. It preserves the tradition of a student published and oriented newspaper. On the other hand, it establishes a restructure of the Student Publications Board designed to bring the Texan closer to the educational function needed by our Journalism School, which has become the largest in the nation.

It is a complete answer to those who have predicted dire consequences to Student Publications.

It does not destroy, but rather revitalizes The Daily Texan.

It contemplates no element of censorship of The Daily Texan in any of its aspects, but rather leaves it as the unfettered voice of responsible student opinion.

It hopefully opens the educational experience of the Texan to all those pursuing journalism as a career.

We would hope that the present TSP Board will concur in the amended charter as adopted today and join us in putting to rest wild rumors of censorship and infringement on freedom of the press.

This day would be incomplete without this Board expressing its deep gratitude to the editors' panel and to Mr. Bill Bellamy, Managing Editor of the San Antonio Light, for the time spent in assisting Chancellor LeMaistre in his most difficult task.

U. T. AUSTIN: CONSIDERATION OF REQUEST FROM COLLEGE HOUSE FOR ENDORSEMENT FOR HUD LOAN APPLICATION. --The request from College House to the Board of Regents to endorse the HUD loan application was not approved, but it was authorized that a letter from the Chairman be written to HUD stating that:

1. The proposed project is neither a part of nor does it conflict with the long-range plan for The University of Texas at Austin.
2. This project is definitely not and will not be sponsored by The University of Texas; however, the project would supplement University housing and not compete with The University of Texas.

U. T. AUSTIN: NOMINATIONS TO ADVISORY COUNCIL OF THE SOCIAL WORK FOUNDATION AND TO DEVELOPMENT BOARD. -- In Executive Session, nominations were made for membership on the Advisory Council of the Social Work Foundation and on the Development Board of The University of Texas at Austin. As soon as notices of acceptance have been received for the Advisory Council of the Social Work Foundation and for the Development Board, both of The University of Texas at Austin, the membership thereof will be announced.

U. T. AUSTIN: 1971-72 TRAFFIC AND PARKING REGULATIONS (S. B. 162, 60TH LEGISLATURE). --Upon recommendation of President ad interim Jordan, concurred in by Chancellor LeMaistre, the Traffic and Parking Regulations set out on Pages 115-127 were adopted for The University of Texas at Austin. Chairman Peace suggested that in the future amended regulations of this nature and extent should be accompanied by a narrative explanation in the same manner as amendments to the Regents' Rules and Regulations. Upon special request for this information, the following explanation was furnished to Chairman Peace by the Vice-President for Business Affairs at The University of Texas at Austin:

There are three substantive changes in the proposed 1971-72 Traffic and Parking Regulations for The University of Texas at Austin:

1. It provides that bicycles shall be operated in conformity with the applicable ordinances of the City of Austin with the following specific regulations to be enforced on campus:
 - a. Pedestrians at all times shall have the right of way over bicyclists.
 - b. Bicycles may not be ridden on pedestrian walkways and sidewalks.
 - c. Operators of bicycles on University streets shall comply with all stop signs, yield signs, and other general traffic regulations, except that bicycles may proceed in either direction on Inner Campus Drive.
2. It provides for the removal of abandoned vehicles after 30 days to be impounded and disposed of as such vehicles are disposed of by the City of Austin.
3. Where applicable, where references are made to "Traffic and Security Officers," the references are changed to "University Police Officers."

1971-1972

TRAFFIC AND PARKING
REGULATIONS

and

INFORMATION

I. INTRODUCTION

This booklet contains an analysis of and guide to the rules, regulations, and procedures applicable to those who would drive or park a motor vehicle or bicycle on the campus of The University of Texas at Austin. These rules are designed to provide for the safety of all who use the campus, especially pedestrians, and to provide for the optimum use of the meager parking facilities. These regulations are supplementary to the rules and regulations of the City of Austin and State of Texas which govern the use of motor vehicles. They apply throughout the day and night.

As used herein "campus" or "University campus" shall be deemed to refer to all University owned property within the limits of the City of Austin whether or not part of the main campus of The University of Texas at Austin.

THE SPEED LIMIT ON ALL PARTS OF THE CAMPUS IS 15 MILES PER HOUR. PEDESTRIANS SHALL AT ALL TIMES HAVE THE RIGHT OF WAY AT CROSSWALKS.

Only cars bearing the proper University parking permits may be parked on the University campus, Monday through Friday, 7:30 a.m. to 5:00 p.m., and on Saturday, 7:30 a.m. to 11:15 a.m. Cars without permits may be parked on the campus Monday through Friday, 5:00 p.m. to 7:30 a.m., from Saturday at 11:15 a.m. until Monday at 7:30 a.m., and on the following holidays: Labor Day, Thanksgiving, Christmas, New Year's Day, and July Fourth, except where posted signs prohibit such parking. Parking meters may be used by anyone at any time, except where their use is restricted by posted signs (e.g., for Visitors Only). See p. 4 for more details.

Motorcycles, motor scooters, and motor bicycles must bear the proper University parking permits. Such vehicles may only be parked in spaces marked for such vehicles. Bicycles may only be parked in racks provided for that purpose.

Regulations applicable to the use of bicycles on University property are set forth on page 117 of this booklet.

The Parking and Traffic Office (see inside front cover) or a police officer may be consulted should questions arise. These rules, regulations, and procedures are subject to revision by the Committee on Parking and Traffic.

II. GENERAL

The University of Texas at Austin assumes no responsibility for the care and/or protection of any vehicle or its contents at any time it is operated or parked on its campus. The University also reserves the right to impound any vehicle which is parked with serious impropriety or so as to obstruct vehicular or pedestrian traffic.

If a vehicle is parked on University property and is not moved for a period of 30 days, the University may deem the same to be abandoned. Abandoned vehicles may be impounded and disposed of in the same manner as such vehicles are disposed of by the City of Austin.

Under the provisions of Article 2919-J of Vernon's Texas Civil Statutes, the Board of Regents of The University of Texas System has promulgated Parking and Traffic Regulations to regulate and control traffic and parking and the use of parking facilities, provide for the issuance of vehicle identification insignia, and provide for jurisdiction over offenses. In particular, campus police officers may issue TRAFFIC TICKETS ENFORCE-ABLE IN COURT in the same way as those issued by the Texas Highway Patrol. (see p. 11).

A PERMIT TO PARK on campus will not be honored unless the decals are properly affixed on the interior of the car, one in the center of the windshield at the bottom and the other in the lower left corner of the rear window (on the driver's side of the car). Application directions appear on the back of each decal. Permits may not be affixed by tape or other unauthorized material. Permits are not transferable and must be affixed to the vehicle for which they are issued.

Parking areas and parking restrictions are indicated on the enclosed campus map.

Passenger cars may not use the LOADING ZONE AREAS at any time without a loading zone permit and may be parked only long enough to conduct the actual loading or unloading operations (whether on University business or otherwise and only with permission as stated above). The loading zone permit may be obtained from the control station officer or from the University Police Office, Service Building basement, open at all times. If a loading zone permit is needed at a time when the control station officer is not on duty and if it is not practical to drive to the University Police Department Office because of unusual circumstances, permission may be obtained by a telephone call, 471-3131 or P.A.X. 2108. Any passenger car parked in a loading zone or service drive, when loading and unloading operations are not plainly visible and in progress, is subject to impounding. Passenger cars shall not be stopped in loading zones or service drives for the purpose of awaiting the arrival of passengers. Commercial vehicles may be parked in loading zones and service drives only for whatever length of time actual loading and unloading operations are in progress.

On special occasions and in emergencies, parking limitations may be imposed by the Chief of the University Police as required by the conditions which prevail. When conditions warrant such an action, the Chief of the University Police may waive parking limitations which are ordinarily imposed.

The speed limit on all parts of the campus is 15 miles per hour. Pedestrians at all times have the right of way. Every car is required to stop completely at each STOP sign and to proceed with caution. A flashing yellow light requires slowing the vehicle and proceeding with caution. A flashing red light requires stopping the vehicle completely and proceeding with caution.

No wheeled vehicle such as a passenger automobile, truck, trailer, motorcycle or bicycle may be placed, used, parked or left within any University Building at any time except when it is being used to conduct necessary University business and is being operated by duly authorized members of the University staff.

Bicycles shall be operated in conformity with the applicable ordinances of the City of Austin and the following:

- a) Pedestrians at all times shall have the right-of-way over bicyclists.
- b) Bicycles may not be ridden on pedestrian walkways and sidewalks.
- c) Operators of bicycles on University streets shall comply with all stop signs, yield signs, and other general traffic regulations, except that bicycles may proceed in either direction on Inner Campus Drive.

III PARKING REGULATIONS

Motor vehicles may be parked in University lots and on campus streets only if they bear the appropriate permits. The color-coded map indicates the specific areas open to the various permit holders, and eligibility requirements are described on page 5. In general, the restrictions apply only from 7:30 a.m. to 5:00 p.m. weekdays. The Inner Campus Drive and Reserved Parking Areas 14 and 15 are restricted to F and A permit holders in the evenings from 5:00 to 9:00 p.m. Monday through Friday and on Saturdays from 7:30 a.m. to 11:15 a.m. Special restrictions for each class of permit holder may be found on page 5 to 9. The rules also apply to weekdays on which no classes are held but on which University offices are open.

Except as described above, the campus is open to parking without permits at night, from 5:00 p.m. to 7:30 a.m., on Saturdays from 11:15 a.m. until Monday at 7:30 a.m., and on the following holidays: Labor Day, Thanksgiving, Christmas, New Year's Day, and July Fourth. However, many spaces are designated as restricted by posted signs. Such restrictions apply at all times. Metered spaces are open to all, at all times, except where their use is restricted by posted signs. On-the-street parking is, of course, open to the public on streets adjacent to, but not within, the campus boundaries as indicated on the map. Streets within the campus are colored on the map; city streets are uncolored.

IV PARKING PERMITS

Parking permits will be issued, in the case of the faculty and staff, only for vehicles of which the faculty or staff member or his spouse is the principal user. In the case of students, parking permits will be issued only for an automobile owned by the student, his spouse, or his parents.

A. Classes of permits and fees

O --	\$72.00	Administrative officers
F --	\$48.00	Reserved for faculty and staff
D --	\$48.00	Disabled (faculty and staff)
	\$24.00	Disabled (student)
A --	\$24.00	Faculty and staff
B --	\$12.00	Staff
C --	\$10.00	Commuting Student parking permits
	\$ 6.00	if purchased during the spring semester
	\$ 2.00	if purchased during the summer session
S --	\$10.00	Student residing in University-owned dormitory (fee same as "C" above).
M --	\$ 6.00	Students and staff for motorcycles, motor bicycles, and motor scooters
	\$ 4.00	if purchased during the spring semester
	\$ 2.00	if purchased during the summer session

B. Payment of fees

When an application is made for a permit, the fee charged will be for a complete year or for the entire unexpired portion of the University's fiscal year. Payment of the fee must be made before the permit will be issued.

C. Refunds

Refunds will be made to members of the faculty and staff upon request in the event that their service is terminated by a resignation or leave of absence without pay. The refund will be based on the number of full months remaining in the University's fiscal year.

A refund will be made upon request to a student holding an A, C, D, or S permit who withdraws from the University at the end of the fall semester, but no refund will be made to a student who withdraws at the end of the spring semester (except to a student holding an A or D permit).

D. Class O

Class O parking permits will be issued for certain administrative officers as designated by the President and/or Chancellor. O permit holders may park in any O space.

E. Class D

Class D parking permits will be issued to members of the faculty, staff, and student body whose physical infirmities make mandatory their parking near their work or classroom. Automobiles bearing Class D parking permits may be parked only in spaces specifically designated for the disabled. Class D permits may be issued for limited periods of time or for one year.

F. Class F

Members of the faculty holding the rank of Instructor or above, and staff members who are paid at a rate of \$740.00 per month or more, are eligible to apply for Class F permits. Assignments will be made by lot and rank. Reserved Parking Areas will be reserved for automobiles bearing permits issued for each specific area from 7:30 a.m. to 5:00 p.m. Monday through Friday. If no spaces are available in the designated lot or if there is urgent need, special permits will be provided at traffic control stations for F permit holders to park on particular occasions for a limited period of time in Class A and B Restricted Areas. Certain spaces in each reserved area will be reserved at all times for those holding permits for that area. On weekdays from 5:00 p.m. to 9:00 p.m. and on Saturday mornings from 7:30 a.m. to 11:15 a.m., the Reserved Areas 14 and 15 and the Inner Campus Drive are reserved for F and A permit holders. On Saturday mornings F permit holders may park in any F, A, B, C, or S parking area. A second permit will be issued for an alternate car at no additional cost on the understanding that if both cars are parked on the campus at the same time, one must be at a meter, or the permits will be revoked.

G. Class A

Class A parking permits will be issued to the following:

- (1) Persons who are eligible for F permits who request A permits.
- (2) Persons who are eligible for and apply for F permits but who do not receive F permits pursuant to the assignment of such permits.
- (3) Full-time staff members who are paid \$514.00 per month or more or part-time staff members who are paid at the rate of \$650.00 per month or more.

Temporary Class A permits may be issued to other classified personnel upon certification by a physician and to students upon certification by the Director of the Student Health Center.

Class A permit holders may park in any Class A, B, C, or S parking area on weekdays from 7:30 a.m. to 5:00 p.m. and in any F, A, B, C, or S parking area on Saturday mornings.

On weekdays from 5:00 p.m. to 9:00 p.m. and on Saturday mornings from 7:30 a.m. to 11:15 a.m., Reserved areas 14 and 15 and the Inner Campus Drive are reserved for F and A permit holders. An attempt will be made to have no more than two permit holders for each Class A parking space available. A second permit will be issued for an alternate car at no additional cost on the understanding that if both cars are parked on the campus at the same time, one must be at a meter, or the permits will be revoked.

H. Class B

Class B parking permits will be issued to the following:

- (1) Any full-time employee who is paid less than \$514.00 per month.
- (2) Any part-time employee who is paid at a rate less than \$650.00 per month and is not registered in the University as a student.
- (3) Individuals registered at the University for courses of instruction, who work at least half-time for the University and who are employed at a full-time rate of \$350.00 or more per month.

Class B permit holders may park in any B, C or S parking area on weekdays and in any Class A parking area except the Inner Campus Drive on Saturday mornings. Class B permit holders may park anywhere on weekday evenings except the Inner Campus Drive and Reserved Areas 14 and 15 and except where posted signs prohibit such parking. An attempt will be made to have no more than three permit holders for each parking space available. A car bearing a Class B permit may pass through the campus at any time for the purpose of picking up or discharging passengers.

I. Class C

Class C (commuting student) parking permits will be issued to students living off campus and who meet one of the following qualifications:

- (1) Students having at least 24 semester hours of credit.
- (2) Students with less than 24 hours but who are 21 years of age or over.
- (3) Students with less than 24 hours who are married and living with spouse.
- (4) Students who have between 14 and 24 hours of credit and a B grade average or better.

Class C permit holders may park in any Class C or S parking area at any time but are not permitted to pass through the traffic control stations between 7:30 a.m. and 5:00 p.m. on weekdays. Class C permit holders may park anywhere on weekday evenings from 5:00 to 9:00 p.m. except the Inner Campus Drive and Reserved Areas 14 and 15 and except where posted signs prohibit such parking. They may park anywhere on the campus from 9:00 p.m. until 7:30 a.m. on weekdays and from 11:15 a.m. on Saturday until 7:30 a.m. on Monday except where posted signs prohibit such parking. They may park anywhere on the campus on the following holidays: Labor Day, Thanksgiving, Christmas, New Year's Day, and July Fourth, except where posted signs prohibit such parking.

J. Class S

Class S parking permits will be issued to students living in University owned dormitories who meet the qualifications for a Class C permit. Automobiles bearing Class S permits may be parked only in spaces specifically designated for S permits.

K. Class M

Class M parking permits will be issued to members of the faculty and staff and students for motorcycles, motor bicycles and motor scooters. These vehicles may be parked ONLY in parking areas set aside for

for motorcycles, motor bicycles, and motor scooters.

In order to obtain a Class C, S, or M permit, a student must supply all information called for in a Motor Vehicle Registration Card, and, in addition, must present the following documents:

- a. Copy of current license receipt.
- b. Auditor's receipt for semester involved.

V. DRIVING AND PARKING OFFENSES

FLAGRANT offenses are:

- (1) Exceeding speed limit.
- (2) Driving in imprudent manner.
- (3) Removing any temporary barricade.
- (4) Driving vehicle into barricaded area or parking in violation of any barricade (impounding violation).
- (5) Refusing to show driver's license upon request of a University policeman.
- (6) Failing to stop or heed other instructions given by a University policeman.
- (7) Driving or parking on the campus of the University while barred (impounding violation).
- (8) Forging or altering a permit, or using a forged or altered permit.
- (9) Committing any of the following acts with the intention of providing any person with parking privileges to which he is not entitled under these regulations:
 - (a) Transferring a permit.
 - (b) Affixing a permit to a vehicle other than that for which it was issued.
 - (c) Failing to destroy a permit when required to do so by these regulations.
- (10) Parking or driving a vehicle to which there has been affixed a permit other than that issued for such vehicle, with knowledge thereof.

MAJOR offenses are:

- (1) Failing to yield right of way to a pedestrian.
- (2) Failing to stop at a STOP sign.
- (3) Failing to report any accident to Traffic Office immediately.
- (4) Making a U-turn.
- (5) Driving on campus without driver's license.

- (6) Backing into an intersection.
- (7) Failing to observe traffic lights.
- (8) Failing to display proper permit for space occupied.
- (9) Parking in any of the following places or manners:
 - a. On any lawn (impounding violation).
 - b. On any curb or sidewalk (impounding violation).
 - c. In any Loading Zone (impounding violation).
 - d. Obstructing any crosswalk (impounding violation).
 - e. In or upon any Service Drive (impounding violation).
 - f. In any manner which obstructs traffic (impounding violation).
 - g. In NO PARKING spaces (impounding violation).
 - h. In violation of any posted sign (impounding violation).
- (10) Operating a bicycle in violation of the regulations set forth herein (page 117).
- (11) Having a vehicle of any type unlawfully within a University building.

MINOR offenses are:

- (1) Parking improperly. A car is parked improperly if --
 - (a) not placed wholly within the lines or boundaries of the parking space (other improperly parked vehicles do not constitute an excuse for improper parking);
 - (b) where parallel parking is required, the curbside wheels of the vehicle are more than 12" from the curb or the vehicle is not parked with front end facing the direction of traffic flow; (c) where angle parking is required, the wheel nearest the curb is more than 12" from the curb; (d) in angle parking spaces, the rear end is next to the curb; (e) parked for periods longer than those specifically designated; (f) double or multiple parked.
- (2) Failing to display permit properly.
- (3) Parking overtime in a space which is limited in time by meter or sign, or parking overtime in a loading zone.
- (4) Parking or chaining a bicycle in a space other than a bicycle rack.

The term "impounding" includes removal or immobilization of the vehicle. The owners of impounded vehicles shall be required to pay all cost involved in impounding and storing.

VI. ENFORCEMENT

- A. In general. Campus police are authorized to issue two types of tickets for violation of campus parking and traffic regulations:
 - 1. University tickets are handled by the University of Texas Parking and Traffic Section subject to a right of appeal to a Parking Committee panel composed of faculty, students, and staff members. Regulations dealing with University tickets are set forth below.

2. Court appearance (CA) tickets are issued by the University of Texas campus police and constitute a summons to appear in a justice court in the same manner as traffic tickets issued by the Texas Highway Patrol. Criminal penalties, as provided by law, may be imposed by the justice court for violations of university parking and traffic regulations.
- B. Policy with Respect to CA Tickets. The University reserves the right to issue a CA ticket for any violation. It is the general policy of the University, however, to issue CA tickets only (1) for flagrant violations, (2) for violations by visitors and persons holding no university permit or driving automobiles which have not been registered with the University, and (3) for excessive university tickets, as set forth in Paragraph C below.
- C. Policy with Respect to University Tickets. University tickets are issued for three classes of offenses: minor offenses, major offenses, and flagrant offenses. These offenses are described on pages 9 and 10 hereof. The Administrative Service Charges are as follows: The service charge for a minor offense is \$2.00. The service charge for a major offense is \$5.00. The service charge for a flagrant offense is \$10.00. If any service charge is not paid within ten days after issuance of the ticket, the service charges thereafter shall be \$4.00 for a minor offense, \$10.00 for a major offense, and \$20.00 for a flagrant offense.

Every person receiving a university ticket shall remit the amount of the service charge to the Parking and Traffic Section within ten days after receipt of the ticket. If a person desires to appeal, he shall file his written appeal as provided in Paragraph D below within ten days after receipt of the ticket.

Unpaid service charges for parking offenses are recorded in the name of the person in whose name the vehicle is registered. Unpaid service charges for other offenses are recorded in the name of the person driving the vehicle and in the name of the person who has registered or maintains the vehicle. If unpaid service charges recorded in the name of any person equal or exceed the sum of \$25.00, the Parking and Traffic Section will notify such person by letter sent to the address of such person as shown in the records of the Parking and Traffic Section. Such letter shall state that CA tickets will be issued in lieu of the University tickets unless payment of all accumulated service charges is made within five days after the date of such letter. If such payment is not received, CA tickets will then be issued for such offenses and served on such person by a peace officer. Upon issuance of the CA tickets, the University tickets will be cancelled. Failure to discharge CA tickets will result in the issuance of a warrant for the arrest of such person. A copy of the letter referred to in the preceding paragraph shall also be sent to the person in whose name the vehicle is registered with the Texas Highway Department, if different from the person registering the

vehicle with the University if the vehicle is not registered with the University.

Persons with unpaid service charges recorded in their names shall be ineligible to receive a parking permit while such service charges remain outstanding and unpaid.

- D. Appeals from University Tickets. Any person who has received a University ticket may appeal by filing a written statement with the Parking and Traffic Section setting forth the grounds on which the person believes the issuance of such ticket was improper or inequitable. If the appeal is denied and the person desires to contest the validity of the ticket further, a CA ticket will be issued and the service charge paid in connection with the ticket will be refunded. No particular form of appeal is required, except that the statement must be signed by the person receiving the ticket. The filing of a statement constitutes certification by the person signing the same that the facts stated therein are true to the best of his knowledge and belief. A person may file such supporting statements of material as he deems appropriate.

If the person filing an appeal desires to appear in person before a panel of the Parking Committee, he shall request such personal appearance in the written statement. Failure to request a personal appearance will result in the panel of the Parking Committee determining the appeal on the basis of the written statement of the person, the supporting materials submitted by the person, and information supplied by the traffic officer issuing the ticket. If a personal appearance is requested, the person appealing shall be permitted to participate in the hearing and present such testimony and information as he deems appropriate. Such person shall also have the right to examine witnesses.

No appeal will be considered unless it is filed with the Parking and Traffic Section within ten days after the receipt of the ticket. Each appeal is heard by a panel of the Parking Committee. The panel may order the payment of the service charge in whole or in part, or the cancellation of the ticket, as the panel deems appropriate. A person filing an appeal will be notified in writing of the decision by the panel. If an appeal is denied, the person shall pay the applicable service charge to the Parking and Traffic Section within ten days after receipt of such notice. If any service charge is not paid within ten days after receipt of such notice, the service charges thereafter shall be \$4.00 for a minor offense, \$10.00 for a major offense, and \$20.00 for a flagrant offense. If the appeal is denied and the person desires to contest the validity of the ticket further, a CA ticket will be issued upon request, and the University ticket will be cancelled.

- E. Suspension of Privilege to Drive and Park on Campus. Any person who within a period of twelve months commencing on September 1 of any year receives two CA tickets or university tickets for (a) two flagrant offenses, or (b) four major offenses, or (c) one flagrant and two major offenses, whether or not the service charges applicable thereto have actually been paid, automatically loses his privilege of driving or parking a motor vehicle on the university campus for one year. The loss of the privilege of

driving or parking a motor vehicle on campus shall commence three days after the Parking and Traffic Section mails a letter to the person, at the address of such person as shown in the records of the Section, stating that such person's privilege of driving or parking a motor vehicle on campus has been suspended by reason of excessive violations. Such letter shall state the date on which the suspension commences and the date on which it ends.

Any person who (a) forges or alters a permit, (b) uses a forged or altered permit, (c) transfers a permit, affixes a permit to a vehicle other than that for which it was issued, or fails to destroy a permit when required to do so by these regulations, with the intention of providing any person with parking privileges he is not entitled to under these regulations, or (d) parks or drives a vehicle to which there has been affixed a permit other than that issued for such vehicle, with knowledge thereof, shall lose his privilege of driving or parking his motor vehicle on the University campus for a period of one year. Such suspension shall commence three days after the Parking and Traffic Section mails a letter to the person, at the address of such person as shown in the records of the Section, stating that such person's privilege of driving or parking a motor vehicle on campus has been suspended and describing the offense. Such letter shall state the date on which the suspension commences and the date on which it ends.

While a person's privilege of driving or parking a vehicle on campus is suspended, it is unlawful (1) for that person to drive or park any motor vehicle on the campus and (2) for any person to drive or park a vehicle registered in the name of such person on the campus.

If a person whose privilege of driving or parking a vehicle on campus has been suspended is charged with any violation while on campus, a CA ticket will be issued for such violation. If a university ticket is issued to such person, a CA ticket for such offense will be served upon such person by a peace officer. Failure to discharge such CA tickets will result in the issuance of a warrant for the arrest of such person. Upon the issuance of the CA ticket, the university ticket will be cancelled.

If a person whose privilege of driving or parking on the campus has been suspended receives a university or CA ticket by reason of having a vehicle on the campus during the period of his suspension, the period of suspension shall be extended so that it expires 12 months from the date the person receives such additional CA or university ticket. In addition, the vehicle may be impounded and the violator of the suspension may be reported to the Discipline Committee if the person is a student, or to the appropriate Dean, Director or administrative official, if the person is a faculty or staff member.

A person receiving notice that his privilege of driving or parking a vehicle on campus has been suspended may appeal the suspension within five days on the grounds that the imposition of such suspension is improper or will create serious and substantial hardship. Such

appeal shall be governed by the provision of Part D above. No appeal shall be considered if there are any unpaid tickets outstanding at the time such appeal is filed.

- F. Destruction of Permit when Suspended. Every person receiving notice that his privilege of driving or parking on the campus has been suspended shall remove the parking permit from every vehicle registered in his name and return remnants thereof to the Parking and Traffic Section within five days after receipt of such notice. Failure to do so may be reported to the Discipline Committee if the person is a student, or to the appropriate Dean, Director, or Administrative official, if the person is a faculty or staff member.
- G. Eligibility to Obtain New Permit during Period of Suspension. A person whose privilege of driving or parking on the campus is suspended and not reinstated shall be ineligible to receive a parking permit of any type during the period of suspension.

VII. VISITORS TO THE CAMPUS

Official Visitors

The parking spaces set aside on the campus for the use of official visitors shall be confined to the use of members of the Board of Regents, the University Development Board, Deans and higher administrative officers, and individuals not eligible for University parking permits who come to the campus to conduct important business with the institution's administrative officers or to render an important service. Arrangements for the use of these spaces are to be made in advance with the Chief, University Police, and/or the Chancellor, the Vice-Chancellors, the President, the Vice-Presidents, the Comptroller, the Endowment Officer, the Deans, and the Directors. Where groups are involved, the arrangements must be made by the appropriate Chairman, Dean, Director, or equivalent administrator with the Chief, University Police, who will issue temporary permits.

The establishment of space for official visitor's parking must meet with the approval of the Committee on Parking and Traffic and is subject to the review of the President.

In all cases in which an automobile is parked in an official visitor's space, it must bear the appropriate temporary permit which shows the current date, specifies the parking time required, and bears the signature of the official authorized to issue the permit.

OTHERS ON BUSINESS

Arrangements for parking for other persons coming to the University campus on business matters may be made by administrative officials, chairmen of departments, administrative staff members, or faculty members with the office of the Chief, University Police by identifying the person and the gate through which he will enter the campus. A temporary A parking permit will be issued to such a visitor.

Class A parking permits will be issued to a limited number of persons who render a continuing service to University offices (e.g., computer engineers, typewriter servicemen, etc.). Requests for such permits should be directed to the Committee on Parking and Traffic.

Temporary Class A permits will be issued to a limited number of persons coming to the campus to render a special service which is a specific part of the University's work. Requests for individual parking may be made to the Chief, University Police.

U. T. AUSTIN: NOTIFICATION TO ENGINEERS OF LIABILITY FOR COSTS IN CORRECTING DEFECTS OF PHOTO DECK IN WEST SIDE AND EXPANSION OF MEMORIAL STADIUM AND BUILDING TO HOUSE PHYSICAL EDUCATION. --The following resolution was adopted:

WHEREAS, The Board of Regents of The University of Texas System has contracted with Lyda-Lott, Inc., a joint venture, for the construction of the West Side and Expansion of Memorial Stadium and Building to House Physical Education Facilities and Offices at The University of Texas at Austin;

WHEREAS, Plans and specifications for the project were prepared by the Project Engineers, Lockwood, Andrews & Newman, Inc., 1010 Waugh Drive, Houston, Texas, who engaged Osborn-Papesh, an association of Osborn Engineering Company, and Alexander A. Papesh, architect, of Cleveland, Ohio;

WHEREAS, An integral part of that expansion involved the construction of a photo deck located under the overhang of the upper deck at the ninth floor level;

WHEREAS, The project manager of Lockwood, Andrews & Newnam, Inc., engineers, was informed that the main beams for the structure of the upper seating deck would obscure portions of the football field from the photo deck, thereby rendering the photo deck unusable for the purpose for which it was intended, and

WHEREAS, In accordance with plans and specifications, the main beams were poured, and as poured, were deepened by approximately eighteen inches, thereby rendering the photo deck unusable:

NOW, THEREFORE, BE IT RESOLVED by the Board of Regents of The University of Texas System, That System Administration is hereby authorized and directed to promptly notify both the Project Engineers, Lockwood, Andrews & Newnam, Inc., and Osborn-Papesh, an association of Osborn Engineering Company, and Alexander A. Papesh, that the Board of Regents will hold those named parties jointly and severally liable for any and all costs and expenditures incurred in correcting the defects that rendered the photo deck unusable for the purpose for which it was intended, and System Administration is further authorized to take such action as is necessary to enforce this claim.

This item was not on the agenda, and will be resubmitted for ratification at the meeting on July 30, 1971.

U. T. ARLINGTON: DESIGNATION OF VICE-PRESIDENT FOR BUSINESS AFFAIRS AS AUTHORIZED AGENT FOR TAX-FREE ALCOHOL. -- For The University of Texas at Arlington, the following resolution was adopted designating an authorized agent for tax-free alcohol:

BE IT RESOLVED, That Robert B. Price, Vice-President for Business Affairs at The University of Texas at Arlington, be authorized to have charge of and be responsible for and apply for and sign the "Application and Withdrawal Permit to Procure Spirits Free of Tax" for The University of Texas at Arlington, and

BE IT FURTHER RESOLVED, That it shall be the duty of Robert B. Price to execute on behalf of The University of Texas at Arlington any and all documents required by the Alcohol and Tobacco Tax, Internal Revenue Service.

HOUSTON MEDICAL SCHOOL, HOUSTON DENTAL BRANCH, M. D. ANDERSON, G. S. B. S. AND PUBLIC HEALTH SCHOOL: AUTHORIZATION TO PARTICIPATE IN TEXAS MEDICAL CENTER HOSPITAL LAUNDRY COOPERATIVE ASSOCIATION (S. B. 319, 62ND LEGISLATURE, R. S., 1971 -- ARTICLE 4437f-1, VERNON'S TEXAS CIVIL STATUTES). --With respect to a laundry cooperative association in the Texas Medical Center, the following resolution was adopted:

WHEREAS, Under S. B. 319, 62nd Legislature, R. S., 1971 (codified as Article 4437f-1, Vernon's Texas Civil Statutes), authority was granted to the Board of Regents of The University of Texas System and the governing boards of certain other institutions within the Texas Medical Center, Houston, Texas, to form an association to operate a laundry system solely for the benefit of such institutions on a nonprofit cooperative basis;

WHEREAS, Since the enactment of this law, the Texas Medical Center Hospital Laundry Cooperative Association has been organized and was incorporated on April 30, 1971, with the following as members of the Board of Directors:

- Mr. Dan Kadroch, President of Hermann Hospital
- Mr. Joe E. Boyd, Jr., Vice-President for Administration
The University of Texas M. D. Anderson Hospital
and Tumor Institute at Houston
- Mr. Bob Helfrich, member of Hermann Hospital Board
of Directors
- Mr. Warren L. Rutherford, Assistant Administrator
The University of Texas M. D. Anderson Hospital
and Tumor Institute at Houston, and

WHEREAS, Bylaws for the Texas Medical Center Hospital Laundry Cooperative Association, Inc., have been adopted, and Deputy Chancellor Walker has executed a service agreement:

BE IT RESOLVED, That all action that has been taken by The University of Texas System be approved and ratified and that the Deputy Chancellor for Administration be authorized and empowered to take any such action and execute any and all other instruments that may be necessary to complete the organization.

HOUSTON MEDICAL SCHOOL AND M. D. ANDERSON: AFFILIATION AGREEMENT. --Chancellor LeMaistre reported for the information of the Board of Regents that the following affiliation agreement (Pages 130-142) between The University of Texas Medical School at Houston and The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston had been negotiated and executed by the respective chief administrative officers of those components. He stated that the agreement had been reviewed and approved by appropriate System Administration officials. This is an interinstitutional agreement and did not need regental approval but was submitted for information to the Board of Regents together with a memorandum from University Attorney Waldrep who advised that if, in the future, funds are specifically appropriated for these joint programs, regental approval would be required.

Chancellor LeMaistre further stated that as any amendments to this agreement are negotiated and executed, these too will be submitted for information.

Below is the memorandum from University Attorney Waldrep with respect to this affiliation agreement.

MEMORANDUM

To: Mr. Arthur Dilly

February 10, 1971

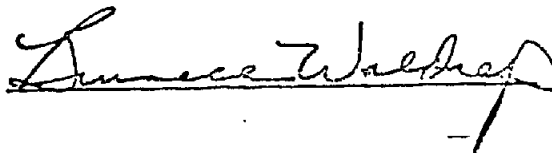
From: Burnell Waldrep

Subject: AFFILIATION BETWEEN HOUSTON MEDICAL AND MDA

There is enclosed for your consideration the agreement between The University of Texas Medical School at Houston and The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston. We have taken the liberty of changing the arrangement, but there are no changes of substance.

As we view it, this agreement is primarily inter-institutional and cooperative in nature. I suppose it is intended to document a working program between the two institutions. In view of this, we agree with you that this type of arrangement would not require regental action. However, if in the future there is an appropriation of funds for programs in this area, it would appear that regental approval would be required.

Please let us know if anything additional is needed.



BW:tr
Enc.

This AGREEMENT by and between two institutions of The University of Texas System, THE UNIVERSITY OF TEXAS MEDICAL SCHOOL AT HOUSTON, hereinafter referred to as "School," and THE UNIVERSITY OF TEXAS M. D. ANDERSON HOSPITAL AND TUMOR INSTITUTE AT HOUSTON, hereinafter called "Anderson," WITNESSETH:

WHEREAS, each institution is an integral part of The University of Texas System and is governed by the rules and regulations of the Board of Regents; and

WHEREAS, School and Anderson seek and agree upon a closer working relationship best possible to the realization of their commitments to the people of Texas and the Southwest, and wish to present in common a program of excellence in medical health, science, and education; and

WHEREAS, it is the desire of the parties to coordinate the resources entrusted to improve health care and, with others, to continue to develop Houston as a superior medical center and health resource; and

WHEREAS, the Dean of School and the President of Anderson accept the responsibility for carrying out cooperative inter-institutional endeavors where related and mutually beneficial in their common goal of better health care for the citizens of Texas:

NOW, THEREFORE, in consideration of the mutual benefits and with the intent to develop both institutions to their maximum potential, School and Anderson hereby agree as follows:

I. GENERAL PROVISIONS

A. This agreement is made pursuant to the provisions of Article 2606c-1.1 and Article 2603e, Vernon's Civil Statutes, and the rules and regulations of the Board of Regents. Any

alteration or amendment shall be negotiated through the respective executive heads of School and Anderson and subsequently approved by System Administration.

B. Anderson and School shall retain all jurisdictional powers incident to their status as separate components of The University of Texas System.

C. The provisions of this agreement and the bylaws of the staffs of Anderson and School shall be in agreement.

D. Anderson agrees to provide for the operation and maintenance of an accredited hospital for teaching, research, and patient care as an integral unit of the undergraduate and clinical graduate education programs of School.

E. Anderson shall retain final jurisdiction over the admission of its patients, including bed assignments, but shall consult with School in the formulation of policies affecting undergraduate and clinical graduate medical teaching.

F. This agreement is for a term of thirty (30) years, and shall commence on the date of its execution and may be terminated upon the mutual consent of the parties. A period of at least three (3) years shall be allowed to effect such termination. This agreement may be amended in writing upon the concurrence of System Administration.

II. MAJOR SPECIFIC CONSIDERATIONS

Anderson and School may engage in programs either separately or jointly to accomplish these goals. Since each has the capacity to enhance or limit directly and indirectly the success of the other, the following major areas for specific consideration are enumerated to aid interactions between Anderson and School.

A. Faculty and Staff Appointments

During the initial organizational phases of the establishment of School in Houston, School will

utilize only selected services for its teaching programs. After the effective date of this agreement, Anderson, in consultation with School, will give due consideration to the academic interests and qualifications of new staff applicants prior to professional staff appointment.

Within Anderson the staff involved in teaching programs will continue as members of the general faculty of The University of Texas System. All members of the staff of those specific services selected for undergraduate medical teaching will be encouraged to seek additional academic appointments in School, for it is understood and agreed that ultimately, with the full activation of School in Houston, the entire undergraduate and the clinical graduate medical teaching staff of Anderson shall hold appointments on the faculty of School. The same provisions apply to the basic science or research staffs. It is further agreed:

1. Academic appointments in both institutions will conform to the titles and ranks used by The University of Texas System.
2. For each individual the assignment to research, education, or service programs will be determined by each individual's talents, commitments, interests, abilities, and availability.
3. Academic ranks and titles for faculty members holding appointments in both institutions will characteristically be equivalent. Hospital staff appointments need not be equivalent. Responsibility for tenure will reside with the institution of primary appointment.

4. Anderson will assess the interests and wishes of all members of its active staff concerning Medical School appointments. On the date a particular discipline or service is selected by School for development of an undergraduate teaching program, Anderson will designate to School from that particular service or discipline all of those persons for whom Medical School faculty appointments are recommended.

School will then determine, in consultation with Anderson, the nature of the faculty appointment of such individuals in School. The teaching obligations, if any, will be negotiated individually by School and Anderson to include appropriate inter-institutional fiscal transfers. It is understood that the foregoing applies only to those members of Anderson roster when the specific discipline is selected by School for development of its teaching program. It does not apply to those staff services not involved in teaching.

5. Within the services selected by School for its teaching programs, School will assume the guiding responsibility for its undergraduate and those jointly administered clinical graduate educational programs of Anderson, through delegation of such responsibility to mutually agreed-upon members of Anderson staff.
6. Anderson shall appoint, after consultation with School, full-time academic leaders in departments, services, or divisions involved in undergraduate and selected graduate medical teaching programs.

7. In the selection of senior department, division, and service chiefs for both School and Anderson, search committees will be appointed. Each institution shall consult the other in the selection and charge to such search committees whose final recommendations will be reported to both institutions for review.
8. While veto is not a prerogative of either institution in the selection of the other's staff, consultation is mandatory.
9. It is also agreed that:
 - (a) All professional appointments to the medical staff shall be reviewed annually by Anderson and School.
 - (b) Anderson and School agree that a professor designated as chief of a given division, service or department for The University of Texas Medical School at Houston will be responsible for its educational programs in undergraduate education. Actual operational responsibility for such programs may be delegated to individuals who must be acceptable to both School and Anderson.
 - (c) The professor responsible for academic leadership in departments, divisions, or services may be housed in either institution as agreed upon.

B. House Staff Appointments and Responsibilities

House staff members have both legal and moral responsibilities to the hospital in which they work and a responsibility to School for the teaching of undergraduate medical students. The responsibility for the

appointment and recruitment of house staff members shall be shared by Anderson and School where shared-residency programs exist. In consideration of the foregoing, the following specific conditions are agreed to:

1. In all joint programs, Anderson and School faculty shall cooperate in filling positions with highly qualified candidates.
2. On those services not selected by School for teaching purposes, Anderson will have primary responsibility for recruitment of house staff members.
3. On-going commitments at Anderson will be honored until an acceptable negotiated change in current, on-going shared residency programs can be agreed upon.
4. After establishment of the medical school, appointments of interns and residents shall be made by Anderson in conjunction with School, except that Anderson may retain fellowships, and other on-going programs not agreed upon as in the "shared" category.

C. Availability of Patients for Teaching

After the effective date of this agreement and in recognition that types of patients in hospitals are changing, of the need to educate students in the care of all types of patients and in the care of patients with diverse types of illnesses; and that almost all patients today quite readily accept the implied premise that upon entry to a teaching hospital for care, they will participate in teaching programs, the following specific conditions are agreed to:

1. All patients in Anderson shall be available for teaching purposes.
2. Exception may be granted upon concurrence by the chief of a major service upon recommendation of a physician when the physician feels that participation in a teaching program might adversely affect a patient's condition, a research program, or for other good and sufficient reason.
3. No members of the faculty will be granted any special exemptions from teaching on their patients.
4. Additional costs for teaching purposes must not be conspicuous or unreasonably additive for either patients or third party carriers.

D. Medical Student Responsibilities and Facilities

1. Medical students will be responsibly involved, under supervision, in the management and care of patients as a learning process. This will be accomplished through the students' participation with the medical care team consisting of interns, residents, and faculty and staff physicians.
2. In recognition of the fact that a university teaching hospital and clinic requires considerably more space for the educational programs of the medical students and house staff, Anderson agrees to provide such space. In all new construction and modernization programs, Anderson will give consideration to the following requirements:
 - (a) Charting areas of sufficient size to accommodate reasonably, students, house staff, staff physicians and nurses;
 - (b) provisions for well-equipped conference-demonstration rooms for teaching programs on each large patient floor area of the hospital and clinic;

- (c) patient room facilities of sufficient size to permit students and staff to observe and to make bedside rounds;
- (d) sleeping-in facilities for students while on night call on such services as intensive and special care and as otherwise agreed upon;
- (e) special treatment rooms on each floor to demonstrate special procedures to students;
- (f) satellite library;
- (g) locker space for students;
- (h) if possible, development of off-campus additional specialized teaching resources.

E. Joint Responsibilities for Research

School and Anderson agree to develop cooperatively clinical and basic research. Research projects may be jointly sponsored by School and Anderson. In such instances, the following specific conditions are agreed to:

1. Research reviews and surveillance of human experimentation will be carried out separately for the two institutions. In-house approval by one institution will not imply approval by the other.
2. Procedures for scientific review and administrative approval will be the prerogative of the respective institutions, and budgets will be separate and specifically identifiable.
3. When a joint program of research is instituted, the investigators, resources, plans, funding and compliance with rules for human experimentation and biohazards must be identified, recorded, and approved by each institution for that portion of the research to be done in each institution and the faculty time committed.

4. Unexpended funds and equipment purchased in pursuit of the research project must be assigned specifically to one or the other institution by the conclusion of the joint project.
5. In joint projects credit to researchers and institutions shall be assured.

F. Service (Patient Care) Activities

1. School and Anderson will cooperate in recruiting a sufficient number of qualified physicians to direct and supervise adequately professional medical services to all in-patients and out-patients for which they are responsible.
2. All professional care shall be provided for by the faculties of Anderson and School, the latter as development permits. The staff(s) shall be closed.
3. Plans for management of revenues generated by service activities will conform to The University of Texas System practices and policies. Such revenues generated by Anderson shall continue to be managed under its long-established plan and principles. Any fee or revenue management plan developed by School will be a separate entity. However, all fees generated for an identifiable service will revert to the plan of the institution less business costs in which the faculty member holds his primary appointment; such fees will be managed according to that institution's procedures.

G. Sharing of Common Facilities and Services

Plans may be drawn to provide for common services required by both Anderson and School; this will avoid expensive and unnecessary duplication of equipment and

facilities. Such common services, when available, may be operated by either School or Anderson. These may include heating, telephones, post office, laundry, food, computer, parking, specialized diagnostic procedures, animal resources, library, physical plant, etc. In consideration of the foregoing, the following specific conditions are agreed to:

1. That joint facilities agreements will be established and reviewed annually by the Dean of School and President of Anderson, together or with a higher administrative authority;
2. such agreements shall cover all jointly shared services;
3. highly specialized, expensive, and infrequently used research, therapeutic, and laboratory procedures may be established or obtained at either School or Anderson, rather than establishing such services separately.

H. Financial Considerations

Anderson, in its traditional role of public service, recognizes that the educational programs contribute materially to the quality of patient care. Nonetheless, certain specific financial considerations must be agreed upon:

1. Anderson shall bear its costs for supporting and maintaining its staff of interns, residents, fellows and other such personnel;
2. School shall pay all identifiable costs incurred in the operations of its undergraduate educational program;
3. in jointly sponsored research projects (see Sec. II-E), there shall be definite agreement on the administration of research funds and overhead,

provision of staff, facilities, ownership of equipment purchased with research funds, and credits;

4. costs not described herein may be negotiated;
5. this joint agreement established by Anderson and School shall be reviewed annually by the President of Anderson and the Dean of School. Such reviews shall involve fair and equitable pro rata division of all costs involved not expressed as the responsibility of either Anderson or School and at the end of the accounting period a cost settlement will be agreed upon.

I. Organization for Effective Communication

1. From the staffs of Anderson and School a committee shall be selected to make recommendations relative to the continuing effective implementation of this agreement. This committee shall meet at least several times annually, and the President of Anderson and the Dean of School shall be ex officio members.
2. In those areas which are relevant to the programs of other biomedical units in Houston, items will be referred to the Administrative Council of these units for discussion and counsel (or such administrative organizations as replaces the Administrative Council).
3. To the Health Affairs Advisory Council and to the Vice-Chancellor of Health Affairs will be referred such matters as need attention and advice or which would be benefited by consideration at these levels.

4. The President of Anderson and the Dean of School shall also establish a Program Planning Committee to consider potential and projected matters of joint concern to Anderson and School and to consider optimal allocation and application of the mutual resources. This committee will render an annual report to the Dean of School and the President of Anderson. Both the Dean (School) and the President (Anderson) are ex officio committee members.

III. ON-GOING EDUCATIONAL AND/OR OTHER AFFILIATION AGREEMENTS OF ANDERSON

Anderson through the years has established liaisons, particularly in education, with other institutions. Those effective at the date of this agreement will be honored.

A. The on-going arrangements as exemplified by those at the Hermann Hospital, Center Pavilion, St. Joseph Hospital, and Dental Branch will be recognized.

B. House officer, residency, and fellowship training programs now in force will remain in force until modified upon mutual agreement as provided for under Section II-B.

C. Programs in health science education to include training of allied health science students, baccalaureate and nonbaccalaureate students are to be continued under current arrangements until alternate mutually agreed upon reorganizations are effected.

D. Although Anderson is a resource of The University of Texas System, medical students from other than Texas medical schools, from both the United States and abroad, will continue to be encouraged to serve in elective training and educational experiences at Anderson. Such arrangements will be negotiated with the deans of the respective schools and Anderson Office

of Education. It is the intent that filling said places will not be competitive with the needs of The University of Texas Medical School at Houston.

E. Arrangements between Anderson and The University of Texas Graduate School of Biomedical Sciences at Houston for cooperative participation in predoctoral, postdoctoral, and continuing educational programs will be continued. Such arrangements regarding students, faculty, staff, and joint sharing of facilities may be modified as the goal of a common basic science faculty of The University of Texas at Houston is pursued.

EXECUTED this 26th day of April, 1971.

THE UNIVERSITY OF TEXAS
MEDICAL SCHOOL AT HOUSTON

By *Cheves McC. Smythe, M.D.*
Cheves McC. Smythe, M.D. Dean

THE UNIVERSITY OF TEXAS
M. D. ANDERSON HOSPITAL AND
TUMOR INSTITUTE AT HOUSTON

By *R. Lee Clark, M.D.*
R. Lee Clark, M.D. President

Approved:

William H. Knisely, M.D.
William H. Knisely, M.D.
Vice-Chancellor for
Health Affairs

Charles A. LeMaistre
Charles A. LeMaistre, M.D.
Chancellor

M. D. ANDERSON: AUTHORIZATION TO UNIVERSITY CANCER FOUNDATION TO ACCEPT PROPERTY AT 2813 JENSEN DRIVE, HOUSTON, TEXAS (HOUSTON GENERAL HOSPITAL) PLUS ADJACENT LOT. --
 Under the following conditions, the University Cancer Foundation of The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston was authorized to accept from Drs. G. Stukey and Ernest Schwaiger et al the property at 2813 Jensen Drive, Houston, Texas (known as the Houston General Hospital) plus an adjacent 62-foot wide lot extending from Jensen Drive to Davis Street:

1. The University Cancer Foundation will get this total acreage of 38,000 square feet, improvements thereon, and the equipment in the Houston General Hospital valued at \$58,000 and will assume an outstanding obligation of about \$56,000.
2. The Stukey-Schwaiger Clinic will rent certain laboratory space and equipment in the Houston General Hospital during the transition period.
3. The obligation of approximately \$56,000 will be amortized at \$947 per month (\$802 principal and interest and \$145 for insurance and taxes) from rental of space to Stukey-Schwaiger Clinic and from gifts and grants to the University Cancer Foundation.
4. The property may be sold at any time except that it may not be sold to be used as a medical private practice clinic.

Deputy Chancellor Walker was authorized to take such action and execute any and all documents as may be necessary to consummate this transaction and to report for the record such documents which will detail the property received and the complete transaction involved.

M. D. ANDERSON: DESIGNATION OF REVOLVING FUNDS (AUTHORIZED BY H. B. 2, 61ST LEGISLATURE, SECOND CALLED SESSION). --
 As authorized by Section 35, Article IV, H. B. 2, Acts of the 61st Legislature, Second Called Session, and any similar authorizations which may be included in subsequent legislation, the following Revolving Funds for The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston were established:

Audio-Visual and Medical Illustration Services Revolving Fund
 To provide photographic, projectionist, and medical art services for M. D. Anderson and other Houston based U. T. components

Print Shop Revolving Fund
 To provide printing and duplication services for M. D. Anderson Hospital and other Houston based U. T. components

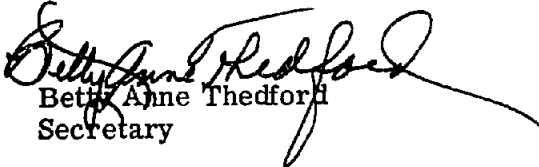
Experimental Animal Maintenance Revolving Fund
 To perform experimental animal maintenance and veterinary services for M. D. Anderson and other Houston based U. T. components

ITEM FOR THE RECORD: AFFILIATION AGREEMENTS WITH (1) THE HOLY CROSS HOSPITAL, AUSTIN, TEXAS, AND (2) WEST TEXAS REHABILITATION CENTER, ABILENE, TEXAS. --The agreements with (1) the Holy Cross Hospital, Austin, Texas, and (2) West Texas Rehabilitation Center, Abilene, Texas, based on a model affiliation agreement for the training of allied health personnel adopted on March 6, 1970, were deferred until the next meeting of the Board of Regents.

SCHEDULED MEETINGS. --The schedule for meetings of the Board of Regents for the remainder of the calendar year of 1971 was amended to read as follows:

July 30, 1971, in Austin
September 10, 1971, in El Paso
October 22, 1971, in Austin
December 3, 1971, in Austin

ADJOURNMENT. --There being no further business, the Board was duly adjourned at 6:10 p. m.


Betty Anne Thedford
Secretary

June 11, 1971