DOCKET NOTES

To: All Docket Preparers
From: Alice Toungate
Date: November 25, 1998
Re: Latest Update to Docket Manual

Enclosed are some important changes to the Docket Manual that take effect immediately. These changes are itemized below.

Section

1 & 2 BACKGROUND INFORMATION and DOCKET PROCESS – Update World Wide Web addresses and mailing addresses and tentative docket due dates. The docket will now be submitted using the Arial 12 point font. Please call me if this font is not available to you.

3 TABLE OF CONTENTS – Updated Table of Contents

4 GIFTS - A new table for “Acceptance of Gifts Conforming to Policy” is included in this section. Gifts with a value of more than $500,000 that are unrestricted, restricted for a current purpose, or restricted for an addition to a planned gift, but do not result in an upgrade of level, include a request for matching funds, or amend the planned gift agreement, must be docketed.

5 CONTRACTS – This section combines the former BUSINESS CONTRACTS FOR SERVICES (Section 5), CONTRACTS AND GRANTS FOR RESEARCH, DEVELOPMENT, CLINICAL AND EDUCATION SERVICES (Section 6), and INTELLECTUAL PROPERTY (Section 9) into this one section.
6 PLANS TO MANAGE POTENTIAL CONFLICTS OF INTEREST – This is a new section. The former Section 6 CONTRACTS OR GRANTS FOR RESEARCH, DEVELOPMENT, CLINICAL AND EDUCATIONAL SERVICES is included in Section 5.

7 AFFILIATION AGREEMENTS – A generic purpose statement has been added to the header paragraph for Foreign Affiliation Agreements. Foreign Affiliation Agreements prepared on the standard form are no longer docket items.

9 INTELLECTUAL PROPERTY LICENSES are included in Section 5.

11 CHANGES TO ADMISSION REQUIREMENTS / CHANGES TO CRITERIA FOR THE AWARD OF SCHOLARSHIPS OR FELLOWSHIPS – This section was formerly CATALOG CHANGES. Changes have been made to the page faxed to you in September 1997.

12 AMENDMENTS TO THE BUDGET – Revised 1999 Budget Rules and Procedures are included. They outline the changes made to the items docketed in this section. Minor changes have been made to the header paragraph.

19 SMALL CLASS REPORT - Minor changes have been made to the docket page.

20 OTHER MATTERS - NAMING OF FACILITIES OTHER THAN BUILDINGS - Dr. Cunningham's May 15, 1998 memo is added to the Docket Manual support. Appendix C of this memo is a format for submitting requests for the naming of facilities other than buildings. These are no longer docket items. An annual report of namings associated with this category is to be submitted during the CIP or budget submission process.

As you may know, Jettie High in the Office of the Executive Vice Chancellor for Health Affairs has retired. Eva Chappell from the Office of the Controller took Jettie's place in Health Affairs and will be reviewing the Health Components' docket. Jana Pankratz (512-499-4558) replaced Eva in the Office of the Controller and will be reviewing the Contracts sections of all docket. Judy Cook is the new Budget Analyst in the Budget Office replacing Jody Owens and Randy Wallace is the new Budget Director replacing Ken Caskey who retired in August. These changes are reflected in the pages being sent out with this update but you may want to make note of this on other pages in your docket manual. As always, if you have any questions please give me a call at (512) 499-4272.
CONTRACTS

REFERENCES:

Generally Applicable References:

Internet References:
    Regents' Rules and Regulations  http://www.utsystem.edu/regMSWord/tocrrr.htm
    Business Procedure Memoranda  http://www.utsystem.edu/BPM/
    Regental Policies              http://www.utsystem.edu/OGC/RegentalPolicies/

Regents' Rules and Regulations:
    Part One, Chapter I, Section 9, Documents Executed on Behalf of the Board
    Part Two, Chapter IV, Section 1, Purchasing Ethics
    Part Two, Chapter IV, Section 5, Purchase from or Sale to an Officer or Employee
Business Procedure Memorandum No. 48, Processing of Contracts, (currently under
construction)

General Contracts:
Regents' Rules and Regulations:
    Part Two, Chapter VIII, Section 3, Minor Construction and Repair and Rehabilitation
    Projects
    Part Two, Chapter IX, Section 6, Matters Relating to Real Property
    Part Two, Chapter XI, Contract Administration
Office of General Counsel Construction Law Pages (Password is required — contact the
Office of General Counsel)
Office of General Counsel Review Procedures and Small Contract Checklist for General
Procedure Contracts under $25,000 (Password is required — contact the Office of
General Counsel)
Business Procedure Memorandum No. 43, Consulting Contracts
Business Procedure Memorandum No. 04, Vending Machine Contracts, (currently under
construction)

Space Leases:
Regents' Rules and Regulations:
    Part Two, Chapter IX, Section 6.5, Delegation of Authority Regarding Space Leases
Business Procedure Memorandum No. 5, Processing of Space Lease Agreements

Intellectual Property Agreements:
Regents' Rules and Regulations:
    Part Two, Chapter XI, Contract Administration
    Part Two, Chapter XII, Section 9, Approval of and Execution of Legal Documents
    Relating to Rights in Intellectual Property
Regental Policies:
    Policies and Guidelines for License Agreements, Sponsored Research and Management
    and Marketing of Intellectual Property
    Trademark Policy
    Business Procedure Memorandum No. 45, Procedures for Processing Sponsored
    Research Agreements
CONTRACTS (Continued)

Non-Intellectual Property-Related Sponsored Research Agreements

Regents' Rules and Regulations:
  Part Two, Chapter XIII, Section 1, Contracts and Grants for Sponsored Research,
  Delegation of Authority
  Business Procedure Memorandum No. 46, Processing of Grants, Scholarships, and
  Fellowships, (currently under construction)

DEFINITIONS:

Contract - an agreement between two or more entities or persons that creates an
enforceable obligation to perform services or provide a product

General Contracts – contracts or agreements that pertain to the operation or mission of the
University but do not include Intellectual Property (IP) Agreements, Non-IP-Related
Sponsored Research Agreements, Affiliation Agreements, or Program Agreements

Space Leases – leases entered into by the board for the benefit of a component institution to
provide space for institutional use

Consulting Contracts - the service of studying or advising a state agency under a contract
that does not involve the traditional relationship of employer and employee. Consulting
services have generally been interpreted to mean services which include study and advice
with respect to some aspect of an agency's operations or management. A determination
whether any particular contract is a consulting services contract must be made by the
Office of General Counsel.

Intellectual Property Agreements – contracts, sponsored research agreements,
institutional support grants, and intellectual property licenses that grant an interest in Board
intellectual property

Non-Intellectual Property-Related Sponsored Research Agreements – contracts or
grants for sponsored research that do not grant an interest in Board Intellectual property.

Grant - sum of money given by an entity to a person or institution for a specific purpose
such as education or research.

INFORMATION:

1. Docket General Contracts, Intellectual Property Agreements, and Space Leases if the
total cost or value of the contract or lease is more than $500,000 except contracts
described in Paragraph 2 below. Include both "Funds Coming In" contracts and
"Funds Going Out" contracts in this section.
CONTRACTS (Continued)

2. Unless docketing is required by Paragraph 4 or 5 below, do not docket:
   a. Minor Construction and Repair and Rehabilitation Project agreements, if the project has been previously approved by the Board in the Capital Improvement Program or the Capital Budget.
   b. Contracts for the purchase of replacement equipment.
   c. Contracts for routinely purchased supplies.
   d. Purchases made under a group purchasing program.
   e. Purchases of new equipment identified specifically in the institutional budget approved by the Board.

3. Docket amendments to General Contracts, Intellectual Property Agreements, and Space Leases, unless subject to Paragraph 2, if the cost or value of the amendment is more than $500,000 regardless of the amount of the original contract.

4. Docket all General Contracts, Intellectual Property Agreements and Non-Intellectual Property-Related Sponsored Research Agreements with a foreign government or agency regardless of the cost of the contract.

5. Docket all Intellectual Property Agreements and Non-Intellectual Property-Related Sponsored Research Agreements with a corporation or other entity organized and operating under the laws of a foreign state regardless of the cost or value of the contract.

6. Docket Consulting Services Contracts with a cost or value of more than $250,000.

7. If there are no contracts or leases with "Funds Coming In" or "Funds Going Out", do not include the "Funds Coming In" or "Funds Going Out" header in the docket.

8. Docket support must include 1 copy of each signed agreement.

9. Include page number, item number and Board of Regents' meeting date on the first page of the support materials.

10. Do not include anything in the docket that cannot be verified from the docket support.

11. Follow the standard docket format provided.
CONTRACTS (Continued)

12. Submit as an agenda item any contract or agreement identified by an Executive Officer or the component Chief Administrative Officer as a matter of such significance to require the prior approval of the Board, in accordance with Regents’ Rules and Regulations, Part One, Chapter One, Section 9.1.

13. Docket Purchase Orders and Vouchers with a cost or value of more than $500,000 in the Other Fiscal Items section of the docket.

14. Docket Intercollegiate Game Contracts or Agreements in the Other Fiscal Items section of the docket.

15. Docket all plans to manage potential conflicts of interest related to research sponsored by or Board Intellectual Property licensed to an entity in which an employee owns an interest or serves as an employee, officer or member of the Board of Directors in the Plans to Manage Potential Conflicts of Interest section of the docket.

UT SYSTEM CONTACTS:

Content
Patty Culler
Office of the Vice Chancellor for Academic Affairs
(512) 499-4234

Terri Wright or Eva Chappell
Office of the Executive Vice Chancellor for Health Affairs
(512) 499-4226

Format
Jana Pankratz
Office of the Controller
(512) 499-4558

Legal Issues, Intellectual Property Agreements
Georgia Harper
Office of General Counsel
(512) 499-4462
THE UNIVERSITY OF TEXAS AT
U. T. BOARD OF REGENTS' MEETING
DATE OF MEETING

CONTRACTS

The following contracts or agreements have been awarded, have been administratively approved by the Chief Administrative Officer (or [his/her] delegate) and are recommended for ratification by the U. T. Board of Regents:

GENERAL CONTRACTS

(FUNDS COMING IN)

1. Agency: Smith Vending Company
   Funds: $550,000
   Period: October 1, 19__ through May 31, 19__
   Description: Smith Vending Company agrees to furnish and service food and beverage vending machines on the campus.

(FUNDS GOING OUT)

2. Agency: Otis Elevator Company
   Funds: $660,000
   Period: September 1, 19__ through August 31, 19__
   Description: Otis Elevator agrees to service elevators on the campus.

MINOR CONSTRUCTION PROJECT

3. Contractor: ABC Incorporated
   Amount: $600,000
   Source of Funds: Institutional Project Funds
   Date of Contract: August 3, 19__
   Estimated Completion Date: December 5, 19__
   Project Title: Physical Plan Annex
   Description: Asbestos removal
THE UNIVERSITY OF TEXAS AT
U. T. BOARD OF REGENTS' MEETING
DATE OF MEETING

CONTRACTS (Continued)
SPACE LEASES

(FUNDS GOING OUT)

4. Agency: Smith Women's Cooperative
Funds: $525,000
Period: September 1, 19__ through August 31, 19__
Description: Lease 2,500 feet of office space for the office of
the Dean of Students

5. Agency: Burnet Road Business Park, Ltd.
Funds: $575,000
Period: September 1, 19__ through August 31, 19__
Description: Lease 12,500 feet of warehouse space for
Bureau of Economic Geology

CONSULTING CONTRACTS

Funds: $275,000
Period: September 1, 19__ through August 31, 19__
Description: Consultant to conduct study on job descriptions and job
pay ranges for the classified and administrative and
professional job class codes.

NON-INTELLECTUAL PROPERTY-RELATED SPONSORED RESEARCH
AGREEMENTS - FOREIGN

(FUNDS COMING IN)

7. Country: Canada
Grantor: University of Toronto
No.: Grant Letter dated April 15, 19__
New Funds: $10,000
Current Period: September 1, 19__ - August 31, 19__
Title/Description: Research on the Yakataga Formation

UT - 6
8. Country: Canada  
   Grantor: Global Incorporated  
   No.: CAG 9-146  
   New Funds: $585,000  
   Current Period: September 1, 19__ - August 31, 19__  
   Title/Description: Study on Acid Rain

INTTELLECTUAL PROPERTY AGREEMENTS  
PATENT LICENSE AGREEMENTS

9. Licensee: Clintec Nutrition Company  
   Deerfield, Illinois 60015  
   Fee-Royalty: 5% of net proceeds of sales; sales expected to be $10,000,000 in first two years.  
   Period: July 6, 19__ through July 5, 20__  
   Summary of License Provisions: Products falling within the scope of the Parenteral Amino Acid Solution process and which are covered by Patent produced by the Cancer Center.  
   Description of Licensed Product(s): Products made by the Parenteral Amino Acid Solution process include Solution X and Solution Q which will be used in the treatment of cancer.
10. Licensee: Mesotronix Corporation
London, England

Fee-Royalty: A non-refundable license documentation fee in the amount of $50,000; a running royalty equal to 5% of net sales; one half of gross revenues.

Period: Effective September 30, 1996 to the full end of the term or terms for which Patent Rights have not expired and, if only Technology Rights are licensed and no Patent Rights are applicable, for a term of fifteen (15) years.

Summary of License Provisions: Board grants to Licensee a royalty-bearing, exclusive license to manufacture, have manufactured, use, sell, import and offer for sale Licensed Products.

Description of Licensed Product(s): Product includes the Micro-Tensile Tester and the Environmental Chamber Carriage for Moiré Interferometer which will be used for the treatment of patients with asthma.
THE UNIVERSITY OF TEXAS AT
U. T. BOARD OF REGENTS' MEETING
DATE OF MEETING

CONTRACTS (Continued)
INTELLECTUAL PROPERTY AGREEMENTS
SOFTWARE LICENSE AND DISTRIBUTION AGREEMENTS

(FUNDS COMING IN)

11. Licensee: Turner Industries
    Atlanta, Georgia
    Fee-Royalty: Royalties between 2% and 5% of net sales, depending
    upon which version of software is distributed
    Period: August 1, 19__ through a minimum of 8 years, with
    possible extension until expiration of the copyright on the
    software licensed
    Description: Worldwide, exclusive license to copy and distribute the
    computer software program entitled "XYZ-123" and
    derivatives thereof, as well as associated documentation.

SOFTWARE LICENSE AND DISTRIBUTION AGREEMENTS - FOREIGN

12. Licensee: Dr. Maturo Chong
    Paris, France
    Fee-Royalty: Royalties between 1% and 4% of net sales, depending
    upon which version of software is distributed
    Period: September 1, 19__ through a minimum of 5 years, with
    possible extension until expiration of the copyright on the
    software licensed
    Description: Worldwide, exclusive license to copy and distribute the
    computer software program entitled "ABC-11" and
    derivatives thereof, as well as associated documentation.
NOTE: The original Amendment with one copy must be executed and returned to the Grants Administration Division for Headquarters grant awards and to the Grants Administration Branches for State and local assistance awards within 3 weeks after receipt or within any extension of time as may be granted in writing by EPA. Except as may be otherwise provided, no costs as a result of the Amendment may be incurred prior to the execution of the Grant Amendment by the parties thereto.

Receipt of a written refusal, or failure to receive the properly executed document within the prescribed time will result in the termination of consideration of the Grant Amendment by EPA.

GENERAL INFORMATION

APPROPRIATION NUMBER 66X0107
ACCOUNT NUMBER G02626 HBAN
OBJECT CLASS CODE 41.41

DESCRIPTION OF AMENDMENT: PURSUANT TO EPA GRANT REGULATION 40 CFR 30.301-1 "NOTICE OF PROJECT CHANGES" AND CFR 30.301 "GRANTS AMENDMENTS." GRANT AGREEMENT DATED: 6/10/74, AND GRANT AMENDMENT(S) DATED:

Reference is made to the grant agreement or grant amendment issued 6/10/74: Delete special condition number one and substitute the following in lieu of: 1. In the event that this grant involves funding for (a) any construction-type activity or (b) the acquisition of any real or non-expendable personal property and the total value of such activities and acquisitions is $10,000 or more, the following provision shall apply.

The grantee agrees to acquire and maintain any flood insurance made available to it under the National Flood Insurance Act of 1968, as amended. The insurance shall be in an amount at least equal to the cost of the property to be acquired, improved or constructed (less cost of the land) with any portion of this grant, or to the maximum limit of coverage made available under the National Flood Insurance Act of 1968, as amended, whichever is less, for the entire useful life of the property.

This condition shall not be applicable if, on the date of execution of the grant agreement or grant amendment by both parties, flood insurance pursuant to the National Flood Insurance Act of 1968, as amended, was not available in the location of the property acquired, improved or constructed. This condition shall not be applicable if the location of the property to be acquired, improved or constructed is or will at all times be outside the boundaries of a special flood hazard area delineated on a Flood Hazard Boundary Map or Flood Insurance Rate Map which has been issued by the Department of Housing and Urban Development, Federal Insurance Administration.

AWARD APPROVAL OFFICE
National Environmental Research Center
Environmental Protection Agency
Cörlallis, Oregon 97330

ISSUING OFFICE
Grants Administration Division
Environmental Protection Agency
Washington, D. C. 20460

GRANTEE ORGANIZATION
University of Texas - Dallas
P. O. Box 30365
Dallas, Texas 75230

Execept as provided herein all terms and conditions of the basic grant agreement, including prior amendments, remain unchanged and in full force and effect.

THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY

SIGNATURE OF AWARDDOR
Frederick L. Meadows
Chief, Grants Operations Branch, PM216

DATE OCT 31 1974

BY AND ON BEHALF OF THE DESIGNATED GRANTEE ORGANIZATION

SIGNATURE
S. C. Fallis
Vice President for Business Affairs
The University of Texas at Dallas

DATE 15 November 1974

EPA Form 5700-21 (Rev. 10-73) PREVIOUS EDITION MAY BE USED
NATIONAL FLOOD INSURANCE PROGRAM

General

The National Flood Insurance Program is a Federally-subsidized program authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001-4127) to protect property owners who previously had been unable to get coverage through the private insurance industry. It is administered by the Federal Insurance Administration, Department of Housing and Urban Development. The program, for the first time, made flood insurance available to individuals at affordable rates. In return for the Federal subsidy, State and local governments are required to adopt certain minimum land use measures to reduce or avoid future flood damage within their flood prone areas.

The Flood Disaster Protection Act of 1973 (P.L. 93-234, December 31, 1973) greatly expanded the available limits of flood insurance coverage and imposed additional requirements on property owners and communities.

The Act requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally-related assistance for construction purposes or for the acquisition of any real or nonexpendable personal property in an identified special flood hazard area that is located within any community currently participating in the National Flood Insurance Program. A "participating community," also known as an "eligible community," is a community in which the Federal Insurance Administration has authorized the sale of flood insurance under the National Flood Insurance Program.

For any community that is not participating in the program at the time the assistance is approved, the statutory requirement for the purchase of flood insurance does not apply. However, after July 1, 1975, the requirement will apply to all identified special flood hazard areas within the United States, which have been delineated on Flood Hazard Boundary Maps or Flood Insurance Rate Maps issued by the Department of Housing and Urban Development. Thereafter, no EPA financial assistance can legally be approved for real or nonexpendable personal property or for construction purposes in these areas unless the community has entered the program and flood insurance is purchased.
- Regulations


The final EPA general grant regulations will include a section pertaining to the flood insurance requirement. (See 40 CFR 30.400). These regulations are scheduled for publication by October 1, 1974.

EPA Grantee Requirements

1. Construction grant programs.

The grantee must acquire and maintain any flood insurance made available to it under the National Flood Insurance Act of 1968, as amended, for the entire useful life of the project if the total value of insurable improvements is $10,000 or more. The amount of insurance required is the total project cost, excluding facilities which are uninsurable under the National Flood Insurance Program and excluding the cost of the land, or the maximum limit of coverage made available to the grantee under the National Flood Insurance Act, whichever is less. The required insurance premium is not an allowable project cost except to the extent that the insurance is purchased to cover the period of construction.

2. Non-construction grant programs.

The grantee must acquire and maintain any flood insurance made available to it under the National Flood Insurance Act of 1968, as amended, if the approved project includes (a) any construction-type activity, or (b) any acquisition of real or nonexpendable personal property, and the total cost of such activities and acquisitions is $10,000 or more. The amount of insurance required is the total cost of any nonexpendable personal or real property acquired, improved, or constructed, excluding the cost of land, with any portion of the grant or the maximum limit of coverage made available to the grantee under the National Flood Insurance Act, as amended, whichever is less, for the entire useful life of the property. The required insurance premium for the period of project support is an allowable project cost.

If EPA provides financial assistance for nonexpendable personal property to a grantee that the Agency has previously assisted with respect to real estate at the same facility in the same location, EPA must require flood insurance on the previously-assisted building as well as on the personal property. The amount of flood insurance required on the building should be based upon its current value, however, and not on the amount of assistance previously provided.

Sources of information:

1. Materials can be obtained by writing to the Flood Insurance Program of the Federal Insurance Administration, Federal Reserve Bank of San Francisco, 1000 Market Street, San Francisco, California 94111. The Flood Insurance Program of the Federal Insurance Administration's telephone number is 8872 (8872).

2. Materials are available at the following locations or by the following process:


3. Materials are also available for distribution by the scope of services.

4. Materials are available by writing to the Flood Insurance Program of the Federal Insurance Administration, Federal Reserve Bank of San Francisco, 1000 Market Street, San Francisco, California 94111.


Advisory

Grants
Sources of insurance policies, maps, and program information

1. Insurance policies under the National Flood Insurance Program can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurers Association (NFIA) servicing company for the State. A current listing of servicing companies is enclosed.

2. Flood Hazard Boundary Maps are the first maps prepared in the identification process. These indicate the locations of identified special flood hazard areas and are always maintained on file within each eligible (participating) community in a repository designated by the mayor or chief executive officer, usually the building inspector's office or the city clerk's office. The address of such repository is published at 24 CFR 1914 and is amended regularly in the Federal Register. The Flood Insurance Rate Maps are issued later following a detailed study of the flood hazard area. These maps delineate degrees of flood hazard and include more precise area identification.

3. Maps, literature, and policy application forms and manuals are available from any NFIA servicing company. The servicing companies are also equipped to answer questions on eligibility of communities, scope of coverage, and maximum amounts of insurance available with respect to particular types of buildings.

4. Questions that cannot be answered by individual agents or brokers or by the appropriate servicing company may be referred to the National Flood Insurers Association, 160 Water Street, New York, New York 10038, Telephone 212-487-4641; to the flood insurance representative at the nearest HUD regional office (list enclosed); or to the Federal Insurance Administration, HUD, Washington, D.C. 20410, 202-755-5581, or 800-424-8872 (8873).

5. Copies of statutes, program regulations, and community eligibility application forms may be obtained from HUD regional offices or directly from the Federal Insurance Administration in Washington, D.C.

August 8, 1974

Additional copies of this information sheet may be obtained from the Grants Information Branch.
TO: S. C. Fallis; Jim Crowson; Lee Smith; Frank Johnson; Dick Caldwell

FROM: Bryce Jordan

SUBJECT: Meeting re the attached

DATE: Sept. 30, 1971

There will be a meeting to discuss and answer the questions on the attached memorandum. We will meet following the President's Staff Meeting on Monday, October 4, at 11 a.m. in my office.
ADMINISTRATIVE MEMORANDUM

TO: Chief Administrative Officers and Chief Business Officers

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

SUBJECT: Institutional Review of Sponsored Projects and Activities

This supersedes the memorandum on this subject of August 31, 1971 and includes minor modification requested by the Academic Affairs Council on September 7.

I. Procedures Effective Immediately

Until the studies I am requesting in this memorandum can be completed and satisfactory procedures for the review of sponsored projects and activities are established at the institutions and approved by the U.T. System Administration, all proposals, grants, and contracts having the following characteristics must be submitted to the Office of the Chancellor via the System Comptroller for prior approval before submission to the funding agency and before final acceptance for the institution:

1. Any proposal on which there is any question of conformity with the Regents' Rules and Regulations.

2. Any proposal, grant, or contract document which would extend the institution into the community or the State in the role of an advocate or social action agency.

3. Any proposal, grant, or contract document by which substantial cost-sharing requirements or long-range financial commitments are imposed upon the grantee institution.
4. Any project in which new tenure commitments are to be made or are implied.

The above requirements are in addition to those presently required by Business Procedure Memorandum 8 and supplements thereto.

II. Development of Institutional Review Procedures

It is probably inappropriate to attempt to establish a System-wide policy on the criteria to be applied to proposals, projects, grants, and contracts for research and other activities sponsored from outside sources and undertaken by our institutions of higher education other than those criteria related to financial aspects. However, it is clear that each institution should establish and administer effective review and approval procedures which make it possible to determine that sponsored research projects and other sponsored programs are consistent with the goals of that institution and are in full compliance with the Regents' Rules and Regulations.

Therefore, I am directing each institutional head to initiate studies and take actions to establish such review and approval procedures as are appropriate at your institution to achieve this end. I expect you to take such actions immediately as you feel are required to be certain that projects underway and in process of being submitted or extended are not inappropriate to your institution. However, not later than December 31, 1971, I wish to have from you for approval operating procedures setting forth your standard review procedures for sponsored projects and activities and your standard certification form for such projects and activities as described below. If you have an institutional Handbook of Operating Procedures, I would suggest you consider preparing your procedures on this subject as a chapter for that Handbook.

In developing your operating procedures, at least the following steps will be implemented:

1. A standard certification form will be developed for use in connection with every project or extension
of a project. This form will contain the name of
the project and a brief description of the nature
of the program or activity being proposed.

2. The Chief Administrative Officer will be responsible
for making a signed certification on the form in
connection with every project that the project
conforms to the Regents' Rules and Regulations and
is not in conflict therewith.

3. Procedures will be established to insure that no
proposal is submitted nor any contract or grant
executed or accepted which does not conform to
the Regents' Rules and Regulations. A project
of special merit may justify a request to waive
the Regents' Rules and Regulations, but no proposal
in conflict with the Regents' Rules and Regulations
may be submitted to the funding agency without prior
Regental approval. Any proposal, contract, or grant
requiring a waiver of the Rules and Regulations must
be submitted to the Chancellor with specific
justifications and recommendations and will be pre-
sented to the Board of Regents as a regular agenda
item. That is, such items may not be submitted to
the Regents through the institutional docket.

4. The certification form must provide for a certification
by the institutional head or his specific delegate
that the proposal, contract, or grant for sponsored
research or sponsored activities is in keeping with
the institution's educational objectives and is
within the established role and scope of the insti-
tution. In those cases where the institutional head
or his specific delegate cannot so certify, the
proposal, contract, or grant must be submitted to
the Chancellor with special justification and a
recommendation from the institutional head for
approval by the Board of Regents.

5. All extensions of existing contracts and grants
must be evaluated and reviewed to determine (a)
whether any changes are proposed in the original
grant or contract and (b) whether such changes are
acceptable under the same institutional criteria
applied to new grants and contracts.
6. A copy of the standard certification form must accompany any application or contract which is filed with the U.T. System Comptroller or which requires Chancellor's approval under existing procedures. (See Business Procedure Memorandum 8 and supplements thereto.) In every case where a copy of a proposal, grant, or contract or extension thereof is not required to be filed with the Comptroller, the institution must nonetheless file with the Comptroller a copy of the completed certification form to document that the institution has fulfilled its responsibility for a complete review of each proposal against established institutional criteria.

In connection with your institutional study and the development of your procedures, I wish to suggest that the following topics be given consideration along with others which will be raised by your faculty and administration:

1. Sponsored projects or activities will not involve the recruitment of students, faculty, or staff on a discriminatory basis either in favor of or against any person on account of race, creed, color, or sex.

2. Sponsored projects or activities will not involve the solicitation or recruitment for admission to the institution of any person who cannot meet the usual academic requirements for admission.

3. Sponsored projects or activities will not request funds committing the institution to degree programs not yet formally approved by the Board of Regents.

4. Sponsored projects or activities will not request funds committing the institution to modifications in the institution not yet formally approved by the Board of Regents.

5. Sponsored projects will not involve secret or classified research without specific justification and an estimate of the length of time of involvement in such projects.
6. Sponsored projects containing restrictions on the publication of research findings and results or other restrictions on intellectual freedom must have special justification.

7. Sponsored projects or activities will not involve continuing large-scale production or manufacture of a product by the institution without specific justification and an estimate of the length of time of involvement in such projects.

8. Sponsored projects or activities will not limit benefits to one corporation or agency but will provide benefits to an industry or the public generally.

9. Sponsored projects will not conflict with Regents' Rules and Regulations on patents or copyright provisions.

10. Research projects should lend themselves to the involvement of students or have a recognizable feedback into the teaching function.

11. Sponsored projects or activities will not involve the staffing or direction of action-oriented proposals or agencies on a continuing basis which do not clearly relate to the educational or research mission of the institution.

12. Sponsored projects or activities will not involve overseas or out-of-state bases of operation or transfer of faculty without review and approval through appropriate procedures established within the institution and the U.T. System Administration.

It is assumed that sufficient review procedures already exist in connection with research projects supported by institutional and State funds, but this memorandum does not preclude your study of those review procedures as well.

In requesting this study and action by the institutional heads on the substantive aspects of sponsored projects and activities, it should be understood that I am not suggesting any relaxation in the standard System-wide requirements for financial review.
and accountability already in existence and described in Business Procedure Memorandum 8 and supplements thereto. The importance of examining ongoing financial commitments under sponsored projects is even more acute at this time when continuing research support is less assured than in recent years.

cc:  Mr. E. D. Walker
     Dr. Kenneth H. Ashworth
     Dr. William H. Knisely
     Mr. R. L. Anderson
     Mr. Frank Graydon
     Mr. Talmage R. Whiteside
Review with E. O. Walker
A. Gibbons
Sor
Put with STUFF for
N. P. M.
M.D.
GENERAL PROCEDURE

Date 31 December 1969
Francis S. Johnson
Acting President

PROCEDURE FOR PROCESSING PROPOSALS FOR AWARDS
FROM ALL SUPPORT SOURCES

In order to comply with specific policies of The University of Texas System regarding the processing of contract and grant proposals and notices of award, certain University of Texas at Dallas procedures are necessary. This memorandum is intended to briefly outline these University of Texas at Dallas procedures and responsibilities.

The principal investigator provides the content of a proposal. The appropriate administrative services officer (who is expected to be current regarding a particular agency's or other source's format and other requirements, including deadline dates concerning proposal preparation) is responsible for overall coordination of the proposal preparation and its timely submittal. Early collaboration of the principal investigator and the administrative services officer is therefore essential. The administrative services officer normally prepares the budget section following receipt of information from the principal investigator. Prior to the final typing of the proposal, an internal institutional control number is obtained by the administrative services officer by calling the Office of Research Support. Following the final typing of the proposal an internal control sheet similar to enclosure (1) is initiated by the administrative services officer. After the principal investigator, administrative services officer and division head have initialed this sheet indicating their concurrence as to contents, the entire package is sent to the Office of Research Support. Personnel of that office are responsible for prompt processing of the proposal through the Business Office, where salaries and cost figures are checked, and then to the Vice President for Business Affairs for his review and appropriate signature.

The Director of Research Support then prepares the forwarding letter in accordance with The University of Texas System's prescribed format which he then signs for the President and returns the entire package to the administrative services officer for duplication and subsequent mailing.
The Director of Research Support is responsible for conveying appropriate instructions to the administrative services officer regarding the number of external copies of the proposal and forwarding procedures (for example, contract proposals must be forwarded via the Deputy Chancellor's office in Austin; whereas a copy of a grant proposal forwarded to the System's Comptroller is sufficient). These and related matters are the responsibility of the Director of Research Support and will be accomplished by his office.

Appropriate internal institutional distribution is the responsibility of the administrative services officer and will be at least that indicated on the enclosed internal control sheet. The Director of Research Support is also responsible for the distribution of completely executed copies of contracts and/or grants or amendments thereto, for the forwarding of letters or notices of disapproval and for the preparation of appropriate docket items in connection with these transactions.
PLEASE INITIAL THIS FORM INDICATING YOUR APPROVAL
FOR SUBMISSION OF THE ATTACHED APPLICATION
AND FORWARD TO THE NEXT IN LINE

__________________________
Deadline for Mailing

__________________________
Name of Agency/Foundation, etc.

__________________________
Project Title

NEW PROPOSAL
(delete one)
CONTINUATION PROPOSAL

Principal Investigator

Administrative Services Officer

Remarks__________________________

__________________________
Division Head

__________________________
Director of Research Support

__________________________
Business Officer

__________________________
Vice President or other designated official

PLEASE RETURN THE SIGNED APPLICATION TO
THE ADMINISTRATIVE SERVICE OFFICER FOR TRANSMITTAL