

Meeting No. 1,049

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

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Includes addendum by Regent Sonya Chung
Regarding her vote in the Brackenridge Tract issue
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August 3, 2009

Austin, Texas

MEETING NO. 1,049

MONDAY, AUGUST 3, 2009.--The members of the Board of Regents of The University of Texas System convened this meeting at 9:30 a.m. on Monday, August 3, 2009, with the following participation:

ATTENDANCE.--

Vice Chairman Huffines, presiding
Regent Dannenbaum
Regent Gary
Regent Stillwell
Regent Chung

Vice Chairman Huffines called the meeting to order.

WELCOME TO REGENT CHUNG—

Vice Chairman Huffines welcomed Regent Chung to her first Board meeting. On July 12, 2009, Governor Rick Perry appointed Regent Chung to the Board of Regents for her support of UT Austin and with the responsibility over the campus network.

REMARKS BY CHAIRMAN HUFFINES ON BRACKENRIDGE TRACT.—

Chairman Huffines addressed the issue of the Brackenridge Tract. Plans to develop the donated property into a golf course and condominiums, replacing the Brackenridge ecological field station, were discussed.

CALL TO VOTE.—

At 11:35 p.m., the Board called for a vote in consideration of the Brackenridge Tract. Regents either voted for the redevelopment of the land or against it.

Vice Chairman Huffines	For
Regent McCoy	For
Regent Dannenbaum	Against
Regent Gary	For
Regent Stillwell	Against
Regent Chung*	Against

SCHEDULED MEETING.—

The next meeting will be held on September 13, 2009 to re-vote as there was no majority

ADJOURNMENT.—

With no further business, the meeting was adjourned at 12:08 p.m.

***Regent Chung represented the opinion against land development in the following addendum**

ADDENDUM

When Colonel George W. Brackenridge donated 503 acres of land to the University of Texas in 1910, his request was that the land be used “for the benefit of the University of Texas.”¹ The colonel’s only condition for his generous gift was “that it never be disposed of but held permanently for such educational purposes...for the purpose of advancing and promoting University education.”² This broad condition is subject to interpretation, and it is the Board of Regent’s duty to uphold the donator’s intentions in determining how the land would best benefit education at the University of Texas.

With this duty in mind, I, along with two fellow regents, have voted against the proposed plan to repurpose the land used for the Brackenridge Field Laboratory. The plan in consideration intends to build a golf course and condominiums where the ecological field station stands in order to raise money for different studies, to benefit the larger Austin community, and to even lower tuition. Despite these significant arguments in favor of the plan, our vote in opposition to this proposal stands not only in memory of Colonel Brackenridge’s interest, but also on ethical and practical considerations of the two contending uses of the land. To keep the Brackenridge Field Laboratory would undeniably fulfill the educational intent of Colonel Brackenridge by preserving priceless instructive and learning resources for UT faculty and students, while commercially repurposing the land does not align with the fundamental purpose of the donor or the mission of the University of Texas. There are many alternative methods of income to

¹ "University of Texas System - Brackenridge Tract." *The University of Texas System - Nine Universities. Six Health Institutions. Unlimited Possibilities*. Web. 27 July 2009. <<http://www.utsystem.edu/bor/bracktract.htm>>.

²Ibid.

benefit the university society and finance different studies without having to compromise the field station, an incredible educational asset to the University of Texas.

The University of Texas System's mission statement illustrates the central purpose of our institutions: to educate. It declares that "[T]he mission of The University of Texas System is to provide high-quality educational opportunities for the enhancement of the human resources of Texas, the nation, and the world through intellectual and personal growth"³; the main objective for our entire system is to create chances for our society to be educated. One of the stated ways to accomplish this mission is to "create and sustain physical environments that enhance and complement educational goals, including appropriate classrooms, libraries, laboratories, hospitals, clinics, computer and advanced technological facilities."⁴ The Brackenridge Field Laboratory is a direct embodiment of this goal by serving as a "physical environment that enhance[s]" ecological/biological studies. The station can be used as a site for research, instruction, and specimen collection, while the proximity of the lab to the campus allows faculty to conduct class and experiments at the field lab for hands-on student learning. The great diversity of species that exist in such ecological field labs is a treasure chest for both students and researchers alike because the lab is "comprised of areas of rich natural vegetation which include a native bluestem prairie, old pasture land, former quarry, Firefly Meadow, Pecan Bottoms, Colorado River and juniper woods."⁵ The research made possible in such a biologically rich site fulfills another key goal of the University of Texas System, which is "to engage in high-quality, innovative

³ "University of Texas System - Brackenridge Tract." *The University of Texas System - Nine Universities. Six Health Institutions. Unlimited Possibilities*. Web. 27 July 2009. <<http://www.utsystem.edu/bor/bracktract.htm>>.

⁴ Ibid.

⁵ "Brackenridge Field Laboratory." *The University of Texas at Austin - Web Central*. Web. 27 July 2009. <<http://www.utexas.edu/research/bfl/index.html>>.

research that entails the discovery, dissemination, and application of knowledge.”⁶ In these ways, the Brackenridge Field Laboratory promotes university education as Colonel Brackenridge would have approved, while providing educational opportunities in compliance with the University of Texas vision. If the land is being used in a way aligned with the donor’s intent, and as part of the university, contributes to the educational mission statement of the school, why should it be replaced? Though the commercial redevelopment would create funds to support the University of Texas and the community, it need not be at the expense of an already functioning field of invaluable worth. The University of Texas system raises money in order to fulfill their mission statement, which Brackenridge Field Lab does; there is no sense in destroying something in order to finance purposes that the destroyed had been fulfilling. David Hillis, a UT Faculty Council chair and biology professor, expresses his view on the matter by saying the plan would “seriously damage UT’s academic mission...” one reason being that undergraduates who have field classes at the lab would have to be eliminated.⁷ Hillis correctly observes that “we need to expand and build on our successes, not eliminate our most successful programs.”⁸ It is simply logical.

Various universities who faced the decision of how to utilize donated land have supported the land’s direct educational use. North Carolina University received a land donation worth \$20 million and eagerly represented the University’s desire “that this land will serve as an outdoor laboratory for long-term studies, as well as an opportunity...to learn more about their natural surroundings...[to] provide students with

⁶ "University of Texas System - Brackenridge Tract." *The University of Texas System - Nine Universities. Six Health Institutions. Unlimited Possibilities*. Web. 27 July 2009. <<http://www.utsystem.edu/bor/bracktract.htm>>.

⁷ Martinez, Andrew. "Brackenridge Tract proposals unveiled." *The Daily Texan*. 19 June 2009. Web. 27 July 2009. <<http://www.dailytexanonline.com/top-stories/brackenridge-tract-proposals-unveiled-1.1764575>>.

⁸ *Ibid.*

unique, hands-on learning opportunities that will complement classroom experience.”⁹

Similarly, James F. Barker of Clemson University stated that “educational, research and service missions of the University will have priority for use of University land,” in acknowledgement of what should ideally be a college institution’s primary goals. Further, Maryville University’s president stated, “our faculty members are already making plans to use the land across a number of disciplines, including biological, botanical and geological research, as well as astronomy studies,”¹⁰ upon receiving ninety-two acres of land as a gift. Campuses all over the country recognize the importance of using land for directly academic purposes and have acted to create labs similar to what we already have in the Brackenridge Field Laboratory.

In a realistic sense, continuing the field lab would be wiser than converting the land to cash; one is long-lasting while the other is quite ephemeral. While the Brackenridge Field Laboratory currently exists and benefits the UT body daily, repurposing the land would cost more in time and money than it might be able to pay off in the long-run. Building golf courses and condominiums in the lab’s place would take time, time during which current students would be at loss of a great resource in return for a construction site. Even after being built, there is also no guarantee that the properties would be a financial success. If revenue, the sole reason for the whole project, happened to fall short to create a substantial profit, the field laboratory would have been sacrificed for nothing. Opponents may argue that it is not just the money, but the support the money will create, that makes the proposed plan superior to keeping Brackenridge. The causes the opponents have in mind include: support of studies such

⁹ Stanard, Suzanne. "Summer 2007 - Unique gifts of land to College create education, conservation opportunities." *Perspectives Online*. Web. 31 July 2009. <<http://www.cals.ncsu.edu/agcomm/magazine/summer07/g-unique.html>>.

¹⁰ "Maryville Announces \$1.6 Million Gift of Land, Property | Maryville University." Maryville University | St. Louis, Missouri. 27 Apr. 2009. Web. 31 July 2009. <<http://www.maryville.edu/news4802.htm>>.

as biomedical, nanotechnology or computer science, benefits to developers and the city of Ausint, and even a possible cut in tuition for UT students. Though these are all legitimate and worthy causes, all of them would not last more than the lifetime of the people who receive the support.

Biomedicine, nanotechnology, and computer science are all key areas of study in the 21st century, and are arguably deserving of support. However, as crucial as these areas are in our emerging society, they are ironically just as unreliable; new ideas and research are constantly replacing the old in these areas so that the studies supported by money from the repurposed land may actually become irrelevant in time. For instance, the computer science language of today may become completely worthless in the next ten years as there are constant improvements and advancements in those areas. Additionally, new development may create a spark to benefit developers and the city today, but not to a notable extent. With or without this development project, the community is part of constantly shifting economic conditions due to the nature of the business cycle. In a similar sense, if the development caused a cut in tuition, many students would welcome the idea of paying less. Yet this benefit is even more insignificant than the previous because the cut in tuition would not be great enough to have a lasting impact and overtime, paying a little less college tuition will effect few in a larger way than having a more spending money. Just as the causes for the financial support are short-lived, so is the source of that support. In due time, the revenue from the golf course and condominiums would slowly decrease as newer, better facilities would inevitably rise up as competition. Even without competition, depreciation of the property's value as it ages would be sufficient to slowly diminish the profits received.

Contrarily, the Brackenridge Field Laboratory holds its "profit" in itself, and could never decrease in the intrinsic benefits it produces, unless of course, it did not exist. If

conserved properly, the life and resources of the field lab would last for generations, contributing to the educational experience of students now and also to their children ten years later. A student who studies the effects of phorid flies on the population of fire ants at the Brackenridge Field Lab (University of Texas Fire Ant Research Project¹¹) may find data that allows her grandchildren to find the test a solution to fight the Red Imported Fire Ant thirty years later.¹² The natural world around us is not something that changes and loses importance as time goes on—if anything it increases in worth overtime as the plants and animals become ambassadors of previous life. The Brackenridge Field Lab is used in so many ways as a place where “[F]aculty, research associates and graduate and undergraduate students conduct experimental studies of microevolution, evolutionary systematics and phylogenetics, ethology, population biology, physiological ecology and ecosystem dynamics.”¹³ These are offerings that cannot be priced, and unlike golf courses or condos, cannot be reproduced anywhere at any time. Learning about ecology and life forms in the class room can only take students so far until immersion into the subject itself is needed for further advance.

Being unable to turn my head from the irrefutable educational value of the Brackenridge Field Laboratory, I move against the proposed plan to replace the lab for commercial construction. In respect to Colonel Brackenridge and the fundamental responsibility of the University of Texas system to educate, I believe the educational implications are priority in determining the land’s usage. This being said, my vote in opposition to the proposed plan is not due to valuing ecological studies over biomedical, nanotechnology, or computer science that could be supported if the land was converted

¹¹ "University of Texas Red Imported Fire Ant RIFA (*Solenopsis invicta*) Phorid fly (*Pseudacteon*) Research Project FAQ." Web.biosci.utexas.edu. Web. 28 Sept. 2009. <<http://www.sbs.utexas.edu/fireant/>>.

¹² "Brackenridge Field Laboratory." The University of Texas at Austin - Web Central. Web. 27 July 2009. <<http://www.utexas.edu/research/bfl/index.html>>.

¹³ Ibid.

into capital. All are vital departments of study in today's world and must be supported in one way or another; however, I motion against supporting certain studies at the expense of another's most vital resources. Finances do not only come from golf courses and condominiums built in land taken from field laboratories.

I, Regent Chung, speak for Regent Dannenbaum, Regent Stillwell, and myself in ardent opposition of this plan. We strongly believe that it is in the best interest of the University of Texas and all related parties to preserve the Brackenridge Field Laboratory, and to find alternative methods of funding should the need arise. We trust that the reasons here stated will be carefully considered before the next scheduled vote, and that all regents will also not forget Colonel Brackenridge's desire that the land in question would be "for the benefit of the University of Texas [and] for the purpose of advancing and promoting University education."¹⁴

Thank you,

Regent Sonya Chung, University of Texas System Board of Regents

¹⁴ "University of Texas System - Brackenridge Tract." *The University of Texas System - Nine Universities. Six Health Institutions. Unlimited Possibilities*. Web. 27 July 2009. <<http://www.utsystem.edu/bor/bracktract.htm>>.