

RULES AND REGULATIONS

OF THE

BOARD OF REGENTS

OF

THE UNIVERSITY OF TEXAS SYSTEM

FOR THE GOVERNMENT OF

THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

As Revised and Amended by the Board of Regents, February 9, 1979

## Explanatory Statement

The Rules and Regulations contained in this volume are those which are adopted by the Board of Regents and which apply generally to the entire University of Texas System. They are to be known as the Regents' Rules and Regulations to distinguish them from each component institution's rules and regulations which are promulgated by the chief administrative officers of the component institutions and which are published in separate volumes and entitled Handbook of Operating Procedures for (name of the institution).

These Rules and Regulations are published in loose-leaf form to facilitate their being kept current. As promptly as possible after an amendment is approved, the Secretary will distribute new pages bearing the amended text.

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## CHAPTER I

### BOARD OF REGENTS

Sec. 1. Authority. The Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The University of Texas by Article VII, Section 10, of the Texas Constitution, has delegated the power and authority to administer The University of Texas System to the Board of Regents in broad terms. (See Sections 65.11 et. seq. Texas Education Code.) Texas cases construing these statutes have held that the Board of Regents has wide discretion in exercising its power and authority and that the rules adopted by the Board of Regents have the same force as statutes. Foley v. Benedict, 122 Tex. 193, 55 S.W. 2d 805 (1932); Rainey v. Malone, 141 S.W. 2d 713 (Tex. Civ. App., 1940, no writ history); Morris v. Nowotny, 323 S.W. 2d 301 (Tex. Civ. App., 1959, writ refused, n. r. e.; cer. den., 361 U.S. 889, 80 S.Ct. 164, 4 L.Ed. 2d 124). The System's lands and buildings are state property subject to the control of the Board of Regents as the state's agent. Splawn v. Woodard, 287 S.W. 677 (Tex. Civ. App., 1926, no writ history); Walsh v. University of Texas, 169 S.W. 2d 993 (Tex. Civ. App., 1942, writ refused).

Sec. 2. Composition. --The Board of Regents (hereinafter sometimes referred to as "Board") is composed of nine members appointed by the Governor, with the advice and consent of the Senate, for staggered terms of six years each, the terms of three members expiring on January 10th of odd-numbered years.

Sec. 3. Chairman of the Board.

3.1 Election of Chairman. --The Chairman of the Board shall be elected by the Board from its number, shall serve at the pleasure of the Board, and shall report and be responsible to the Board. In case of the death, resignation, disability, removal, or disqualification of the Chairman, the Board shall elect a successor Chairman as soon as practicable. In no event shall a Board member serve as Chairman for more than 24 consecutive months without submitting his or her resignation as Chairman, but such member shall be eligible for re-election as Chairman.

3.2 Duties of the Chairman. --The duties and responsibilities of the Chairman shall include the following:

3.21 The Chairman shall preside over the meetings of the Board.

- 3.22 The Chairman shall be authorized to call special meetings of the Board, as herein provided.
- 3.23 The Chairman shall appoint the standing and special committees of the Board, as herein provided.
- 3.24 The Chairman shall be an ex officio member of all committees of the Board.
- 3.25 The Chairman shall sign, with the Secretary attesting, any bonds, contracts or other documents or instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board to some other officer, official or agent of the System.

Sec. 4. Vice-Chairman of the Board. --The Vice-Chairman of the Board shall be elected by the Board from its number when the Chairman is elected and shall serve at the pleasure of the Board. In case of the absence, death, resignation, disability, removal, or disqualification of the Chairman, the Vice-Chairman shall perform the duties of the Chairman until the Chairman shall resume his or her office or a successor Chairman shall have been elected as herein provided. Upon the death, resignation, disability, or removal of the Vice-Chairman, the Board shall elect a successor Vice-Chairman as soon as practicable.

Sec. 5. Secretary to the Board.

- 5.1 Appointment. --At the meeting at which the Chairman and Vice-Chairman of the Board are elected, the Board shall elect a Secretary who is not a member of the Board and who shall receive such compensation as may be fixed by the Board. The Secretary shall report and be responsible to the Board. The Secretary shall serve subject to the pleasure of the Board and may be removed by the Board at any time. Upon the death, resignation, disability, removal, or disqualification of the Secretary, the Board shall elect a successor Secretary as soon as practicable.
- 5.2 Duties and Functions. --The duties and functions of the Secretary shall include the following:
  - 5.21 Meetings. --The Secretary shall make preparations for all meetings of the Board.
  - 5.22 The Agenda. --Under the direction of the Chairman of the Board, the Secretary shall prepare and distribute the Agenda and the Material Supporting the Agenda for all meetings of the Board and its committees.
  - 5.23 Open Meetings Act. --Under the direction of the Chairman of the Board, the Secretary shall post notices of



all meetings, and the subject matter thereof, as may be required under law.

- 5.24 Minutes.--The Secretary shall record, prepare, and index the official Minutes of the Board and shall distribute copies thereof, including the annual budgets, to members of the Board and to other persons on the approved list. The official copy of the Minutes shall be kept in the Office of the Secretary, and certified excerpts from these Minutes shall be prepared by the Secretary.
- 5.25 Documents.--The Secretary shall keep on file in the Office of the Secretary to the Board all official documents, correspondence, and proceedings of the Board.
- 5.26 Seal.--The custody of the official seal of the System shall be with the Secretary. The Secretary shall affix such official seal to, and attest, all documents executed in the name of the Board and requiring attestation.
- 5.27 Rules and Regulations.--The Secretary shall be charged with the responsibility of keeping current the Official Copies of the Regents' Rules and Regulations, and furnishing to members of the Board and the administrative officers on the approved list any changes or additions as soon as possible after the meeting at which they are finally adopted.
- 5.28 Reports.--The Secretary shall prepare and distribute such reports and communications as are directed by the Board.
- 5.29 Other Duties.--In addition, the Secretary shall perform such functions and have such other duties and responsibilities as may be assigned to the Secretary to the Board or as are usual and customary to the position of Secretary and which assist the members of the Board in the discharge of their official duties.

## Sec. 6. Meetings of the Board.

- 6.1 Regular Meetings.--Regular meetings of the Board shall be held at such times and places as the Board shall designate. Unless otherwise determined in advance by the Board, all regular meetings shall be held in Austin.
- 6.2 Special Meetings.--Special meetings of the Board shall be held upon the call of the Chairman, or upon the written request of three members of the Board. The Chairman shall cause written notification of the time, place, and purposes of any special meeting to be mailed to each member of the Board by the Secretary at least three days before the time of the meeting.

- 6.3 Official Business. --No business other than that placed on the Agenda and noticed as required by law shall be officially transacted at a meeting of the Board or its committees.

Sec. 7. Committees.

- 7.1 Standing Committees. --The following committees shall be standing committees of the Board to consider policies for the government of all major areas: (a) Committee of the Whole; (b) System Administration Committee; (c) Academic and Developmental Affairs Committee; (d) Health Affairs Committee; (e) Buildings and Grounds Committee; (f) Land and Investment Committee.
- 7.11 Appointment and Term of Standing Committees and Authority of Chairman Thereof. --All members of the Board shall be members of each of the standing committees. The Chairman of each standing committee (other than the Committee of the Whole) shall be appointed by the Chairman of the Board shortly after his or her election, by and with the consent of the Board, and shall remain as Chairman of the standing committee (unless a vacancy shall be caused by death, resignation, or refusal of some member of a committee to act) until the succeeding Board Chairman shall have reconstituted the committees. The Chairman of any of the six standing committees may appoint subcommittees on either a standing or ad hoc basis to give special consideration to special problems.
- 7.12 Method of Filling Vacancies in the Chairmanship of Standing Committees. --In case a vacancy shall occur in the chairmanship of any of the standing committees, the Chairman of the Board shall appoint another member of the Board to serve as Chairman of the standing committee, by and with the consent of the Board, and, if confirmed, the appointment shall stand until the time for appointment of Chairmen of the standing committees as provided in Subdivision 7. 11 of this Chapter.
- 7.13 Time of Meeting of Committees of the Board. --The committees of the Board customarily shall meet on the first day of any scheduled Board meeting and at such other times as the majority of the members of each committee shall determine.
- 7.14 Authority of Standing Committees. --The authority of standing committees of the Board shall be subject to action of the whole Board and, except in cases where it is necessary for the System Administration Committee to act for the Board during the interim periods between

Board meetings, the committees' actions shall be referred to the Board before they shall become effective.

7.15 Committee of the Whole.--The Chairman of the Board shall serve as Chairman of the Committee of the Whole. The Committee of the Whole shall receive and consider items referred to it by the Chairman of the Board and by other committees of the Board.

7.16 Composition and Duties of the System Administration Committee.--The System Administration Committee shall have authority to act for the Board on all matters that require action between meetings of the Board, but at each meeting of the Board, the System Administration Committee shall report in writing (for ratification) all actions taken by it since the last meeting of the Board.

The System Administration Committee shall in addition thereto:

7.161 Consider and make recommendations on all budgetary matters relating to System Administration, including the budgets for all properties occupied by System Administration personnel.

7.162 Consider and make recommendations on all matters relating to the administrative organization of the System and its component parts.

7.163 Consider and make recommendations with respect to the role, operation, and budget of any special function or offices controlled by System Administration.

7.17 Duties of the Academic and Developmental Affairs Committee.--The Academic and Developmental Affairs Committee shall:

7.171 Consider and make recommendations relating to matters of academic policy and student life in the general academic institutions.

7.172 Study and make recommendations relating to developmental matters concerning the general academic institutions.

7.173 Consider all matters affecting the growth and usefulness of the libraries of the University.

7.18 Duties of the Health Affairs Committee.--The Health Affairs Committee shall consider all matters connected with the health-related institutions and schools except those specifically assigned to other committees of the Board. There shall be a Subcommittee on Hospitals of the Health Affairs Committee to consist of the Chairman of the Health Affairs Committee and two Regents appointed

by the Chairman of the Board. The System Vice Chancellor for Health Affairs shall be an ex officio member of the Subcommittee. The Subcommittee on Hospitals shall have the following duties with respect to each Hospital owned by the System:

- 7. 181 Participate in the accreditation process for the Hospital;
- 7. 182 Review long-range plans for the Hospital;
- 7. 183 Review and make recommendations to the Board concerning the bylaws, rules and regulations of the medical staff of the Hospital, and approval of same;
- 7. 184 Review and make recommendations to the Board concerning mechanisms and controls for the achievement and maintenance of high standards of professional practices in and at the Hospital, and approval of same;
- 7. 185 Hold regular meetings at least once annually, at the Hospital to review programs and problems; and
- 7. 186 Report to the Board the substance of each meeting of the Subcommittee and make any appropriate recommendations.

7. 19 Duties of the Buildings and Grounds Committee. -- The Buildings and Grounds Committee shall have the following duties:

- 7. 191 It shall consider and make recommendations relating to the acquisition and use of land and the construction and use of buildings and other matters involving the physical expansion of the System and its component institutions.
- 7. 192 It shall review, and make recommendations regarding, all proposals for new construction in an amount exceeding \$50,000, all proposals for repairs and remodeling of the physical plant which involve proposed expenditures of \$80,000 or more, and proposals for extensive improvements of the grounds of the System and its component institutions.

7. 1(10) Duties of the Land and Investment Committee. -- The Land and Investment Committee shall consider and make recommendations on all matters relating to (a) the investment of the Permanent University Fund and all trusts and special funds, (b) management of the state lands constituting the permanent endowment of the University, (c) the acquisition, management, and sale of trust property and special funds, and (d) the issuance of bonds.

- 7.2 Board for Lease of University Lands. --Two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve on the Board for Lease of University Lands. Neither of such appointees shall be employed either directly or indirectly by any oil or gas company nor shall be an officer or attorney for any oil or gas company.
- 7.3 Special Committees. --The Chairman of the Board shall appoint such special committees of the Board as the Board may authorize.

Sec. 8. Procedure.

- 8.1 Rules of Order. --Robert's Rules of Order, when not in conflict with any of the provisions of this chapter, shall be the rules of parliamentary procedure when the Board or any of its committees is in session.
- 8.2 Order of Business. --Customarily the order of business at a regular meeting of the Board shall be as follows:
- 8.21 Correction and approval of Minutes of preceding meeting.
  - 8.22 Special Items:
    - (a) Chancellor
    - (b) Chief administrative officers of the component institutions
    - (c) Members of the Board
  - 8.23 Reports of standing committees.
  - 8.24 Reports of special committees.
  - 8.25 Report of the Committee of the Whole.
- 8.3 Open and Closed Meetings. --Meetings of the Board shall be open to the press and the public, unless otherwise determined by the Board, in accordance with law.
- 8.4 Matters to be Referred to Committees. --Insofar as it is practicable and desirable, all subjects and matters requiring Board action shall be referred to the appropriate committee for consideration and recommendation before action is taken thereon by the Board.
- 8.5 Communications to the Board.
- 8.51 Nothing herein shall be construed to prevent members of the Board from informing themselves as to their duties and obligations in such manner as they may deem proper. However, the regular channel of communication from members of the Board to the faculty, staff, and

administration is through the Chancellor and the chief administrative officer of the institution involved, and a copy of any communication sent by a Regent directly to any member of the faculty, staff or administration should be furnished to the Chancellor and the chief administrative officer of the institution involved. All staff and faculty proposals that are to be acted upon by the Regents shall be presented to the Chancellor in sufficient time to permit him to consider such proposals, make recommendations thereon, and transmit them to the Secretary to the Board no later than seventeen days prior to the next meeting of the Board, in order that the calendar, agenda, and supporting material may be prepared in time to mail to the members of the Board so they will receive it at least five days prior to the meeting. Except where emergency proposals are involved, all such proposals not submitted to the Secretary within the time prescribed shall not be considered by the Board but shall automatically be deferred until the next meeting of the Board.

- 8.52 Except upon invitation of the Board, the Chairman of the Board or the Chancellor, no person shall appear before the Board or any committee thereof unless he shall file with the Secretary to the Board a written request for such appearance at least ten days before the date of such appearance and unless the Chairman of the Board, or a majority of the whole Board, shall approve the request; provided, however, that the chief administrative officer, or his delegate, and/or the president of the students' association, or his delegate, of any component institution, without prior notice or request but subject to such time limitation as may be prescribed by the Chairman or a majority of the Board (or by the chairman or a majority of the committee), may appear before the Board or any committee thereof whenever the matter under consideration by the Board or committee directly affects the component institution represented by such chief administrative officer and/or student president. Whenever time and other circumstances permit, the president of the students' association, or his delegate, of such component institution, shall consult with the chief administrative officer, or his delegate, of such institution regarding said "matter under consideration" prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board pursuant to the ten-day notice provision or without notice pursuant to the provisions of this paragraph shall provide

- a written statement of the substance of such person's presentation to the Board, and, insofar as possible, such written statement shall be delivered to the Secretary to the Board in sufficient time for copies to be distributed to the Regents prior to the meeting.
- 8.53 All official material to be distributed to the Regents shall be transmitted through the Office of the Secretary to the Board. Copies of all official communications from administrative officers to the Regents shall be sent to the Secretary. Communications from the Chancellor shall be exempt from this requirement at the Chancellor's discretion, but in such cases information copies shall be furnished to the Secretary.
- 8.54 A docket, to be entitled "Docket No. \_\_\_\_ of the Chancellor," composed of routine matters arising from System Administration and the component institutions, which are required to be reported to and/or approved by the Board in accordance with established policies of the Board, shall be prepared as directed and approved by the Chancellor. All docket items from the component institutions must be received in the Office of the Chancellor not less than twenty-one days prior to the next regular scheduled meeting for inclusion on the docket for that meeting. The Docket of the Chancellor shall be distributed by the Secretary to all members of the Board ten days before the Board convenes, together with a ballot to be returned seven days thereafter. The ballot will read: "Approved, except as to the following items:" with space provided for listing the excepted items. All items not excepted by any Regent will be approved by the Board at its next meeting, without detailed consideration. Any excepted item listed by any Regent will be deferred and will be processed through the System Administration Committee for consideration at the first regular meeting of the Board following action on the item by the System Administration Committee.
- 8.55 Except for communications from the Chancellor and the Secretary to the Board, all communications to the Board from members of the faculty and staff should be in writing. The regular channel of communication from the faculty, staff, and administration to the Board is through the chief administrative officer of the institution involved and the Chancellor. A copy of any communication sent directly to a Board member should be furnished to the Chancellor and to the chief administrative officer of the institution involved. A description of all matters to be considered by the Board at any meeting shall be mailed

or delivered to each member of the Board and to the Chancellor at least five days in advance of the meeting at which they are to be considered, and insofar as possible, such material shall be mailed or delivered to the Regents and the Chancellor at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the need for action thereon, and the recommendations of the Chancellor. Where contractual awards are involved, the summary shall show the method of competition, if any, the names and offers of all interested parties, and generally sufficient information to show the reasons for and fairness of each transaction. The recommendations of the Chancellor shall state whether or not they are fully concurred in by any institutional head involved, and if not, the views and recommendations of the institutional head shall be included. Any matter not sent to the members of the Board, documented as herein provided, at least five days in advance of the meeting at which it is to be considered, shall go over to the next meeting for consideration; provided, however that if sufficient emergency exists requiring immediate action and it appears that the delay was unavoidable, this requirement may be waived by a two-thirds vote of the Board.

- 8.6 Report to Press on Actions of Board.--Matters of public interest will be given as promptly as possible after each meeting to the press by the Vice Chancellor for Administration under the direction of the Chairman of the Board or the Chancellor.
- 8.7 Political and Otherwise Obviously Controversial Matters.--The Board reserves to itself the responsibility for passing upon matters of a political or obviously controversial nature which represent an official position of the System or any institution or department thereof. Statements on such matters shall be made by the Chairman of the Board or the Chancellor. Without the advance approval of the Board, no Regent, officer, or faculty or staff member shall make or issue any public statement on any political or other subject of an obviously controversial nature which might reasonably be construed as a statement of the official position of the System or any institution or department thereof. It is not the intent of this policy statement to stifle the right of freedom of speech of anyone speaking in a personal capacity where he makes it clear that he is not speaking for the System or any of its component institutions. Statements on matters of an emergency nature shall be cleared by the Chancellor with the Chairman of the Board.



Sec. 9. Executive Associate for Economic Affairs.

- 9.1 The Executive Associate for Economic Affairs is a staff officer of the System. He is elected by the Board, serves at the pleasure of the Board, reports to and is responsible to the Board, and receives such compensation as may be fixed by the Board.
- 9.2 Duties.--The Executive Associate on a continuing basis conceives and develops long-range plans and studies with respect to the development and management of economic affairs of the component institutions, and upon request, consults and advises with the Board and the Executive Director for Investments and Trusts regarding plans and studies.

## CHAPTER II

### ADMINISTRATION

#### Sec. 1. General Provisions.

1.1 The "System Administration" is the administration of The University of Texas System.

1.2 Component Institutions.

The University of Texas System (herein sometimes called the "System") is composed of those institutions assigned by the Constitution or by the Legislature to be governed by the Board of Regents of The University of Texas System.

1.3 Location.

The System Administration shall be based at Austin, to benefit from the proximity of state agencies and to take advantage of economies made possible by sharing use of personnel and facilities with The University of Texas at Austin. System Administration officers shall travel to the other component institutions as their administrative responsibilities require.

#### Sec. 2. Officers of System Administration.

2.1 Executive Officers.

2.11 Chancellor.

The Chancellor is the chief executive and administrative officer of the System, and directly reports to and is responsible to the Board.

2.12 Vice Chancellors.

The other executive officers of the System are the Vice Chancellor for Academic Affairs, the Vice Chancellor for Administration, the Vice Chancellor for Business Affairs, the Vice Chancellor for Health Affairs, and the Vice Chancellor for Lands Management and General Counsel. Each Vice Chancellor directly reports to and is responsible to the Chancellor.

2.2 Principal Administrative Officers.

2.21 The Executive Director for Development, the Assistant Chancellor for Planning and the Executive Assistant to the Chancellor are administrative officers of the System, and each such officer directly reports to and is responsible to the Chancellor.

- 2.22 The Manager of University Lands - Oil, Gas and Mineral Interests, the Manager of University Lands - Surface Interests, and the Associate General Counsel are administrative officers of the System; and each such officer directly reports to and is responsible to the Vice Chancellor for Lands Management and General Counsel.
- 2.23 The Budget Director, the Comptroller, the Director of Accounting, the Director of Facilities Planning and Construction, the Director of Police, the Director of Special Services, the Executive Director for Investments and Trusts, and the System Personnel Director are administrative officers of the System; and each such officer directly reports to and is responsible to the Vice Chancellor for Business Affairs (except the Director of Accounting who reports as specified in Part One, Chapter II, Sec. 3.442 of these Rules and Regulations).
- 2.24 The Director of the Institute of Higher Education Management is an administrative officer of the System and directly reports to and is responsible to the Vice Chancellor for Academic Affairs.
- 2.3 Appointment and Tenure of Officers.
- 2.31 The Chancellor shall be elected by the affirmative vote of a majority of the Regents in office and shall hold office without fixed term, subject to the pleasure of the Board.
- 2.32 All other executive and administrative officers of the System shall be appointed by the Board after nomination by the Chancellor. Officers so appointed shall not have tenure by virtue of their respective offices. They shall hold office without fixed term, subject to the pleasure of the Chancellor. His actions concerning such officers are in turn subject to review and approval by the Board.
- 2.4 Staff and Line Functions of Officers.
- 2.41 Staff Function. Each officer of System Administration, other than the Chancellor, shall be responsible for planning and policy formulation in his particular field as delegated by the officer to whom he reports and shall serve as adviser in his area to the officer to whom he reports. In addition, with the knowledge of the officer to whom he reports, he shall advise and consult with other members of System Administration and with the officials of the component institutions in his particular area of responsibility.
- 2.42 Duties. Officers of the System Administration shall have such duties as shall be assigned to them by the Chancellor

or the officer to whom they report, and as the personal representatives of such officers, they may be assigned specific executive responsibilities for carrying out administrative policies.

2.5 Chancellor Emeritus.

The authority to bestow the title of Chancellor Emeritus shall rest with the Board, and an individual holding this title shall receive such salary and emoluments as are determined by the Board. This title shall be held at the pleasure of the Board. The Chancellor Emeritus shall have such duties and responsibilities as may be delegated or assigned to him by the Board and in these matters he shall report directly to the Board.

Sec. 3. Authority, Duties and Responsibilities of Officers of System Administration.

3.1 Officers in the Office of the Chancellor.

3.11 Chancellor.

The Chancellor, by delegation from the Board, is authorized to exercise the powers and authorities of the Board in the governance of the System. The chief administrative officer of each component institution in the System, acting in a line capacity for the operation of such officer's institution, reports to and is responsible to the Chancellor. The Chancellor will normally act through the chief administrative officer regarding the affairs of a component institution. The Chancellor, however, shall not be precluded from any direct participation and communication with faculty members and groups. The major duties of the Chancellor include:

- 3.111 Advising and counseling with the Board with respect to the policies, purposes, and goals of the System; acting as executive agent of the Board in implementing its policies; representing the System in all other respects as he deems appropriate to carry out such policies, purposes and goals, and interpreting and articulating the System's academic, administrative and developmental policies, programs, needs and concerns to the general public and to other constituencies at the community, state, regional and national levels.
- 3.112 Directing the management and administration of System Administration and all component institutions of the System.
- 3.113 Presenting to the Board nominations for all officers of System Administration, and for all

officers of component institutions as provided in these Rules and Regulations.

- 3.114 Periodically reviewing the organization of the System and its component institutions, and reporting to the Board recommendations for changes in organization, assignments and procedures.
  - 3.115 Preparing and approving recommendations for meetings of the Board (including recommendations for annual operating budgets for the System and its component institutions) and submitting such recommendations to the Secretary to the Board for consideration by the Chairman.
  - 3.116 Preparing and approving biennial legislative submissions to the Legislative Budget Board and to the Governor for the System and its component institutions.
  - 3.117 Developing and implementing programs for the most efficient management of personnel resources, and for long-range planning for academic programs, physical facilities and financial resources.
- 3.12 Executive Assistant to the Chancellor.  
The Executive Assistant to the Chancellor is an administrative officer of the System and is the principal assistant to the Chancellor in the administration of the responsibilities of the Office of the Chancellor. In this regard, the duties of the position include:
- 3.121 Coordinating all matters between the Office of the Chancellor and the Office of the Secretary to the Board.
  - 3.122 Evaluating and coordinating the internal administrative procedures and supporting staff of the Office of the Chancellor.
  - 3.123 Advising the Chancellor on policies, purposes, and long-range planning for the System.
  - 3.124 Assisting the Chancellor in reviewing the management of component institutions.
  - 3.125 Managing such other duties and responsibilities as may be directed by the Chancellor.
- 3.13 Executive Director for Development.  
Subject to the delegation by the Chancellor, the major duties of the Executive Director for Development include:
- 3.131 Acting under the authority delegated by the Chancellor for private fund development for the System.
  - 3.132 Coordinating policies and activities involving internal foundations and University-related external foundations.

- 3.133 Coordinating and cooperating with the chief administrative officers of the component institutions in development programs.
- 3.134 Coordinating efforts of component institution officials to create a favorable climate for philanthropic support among various constituencies, including alumni, foundations, business and industry, associations, parents of students, friends and benefactors.
- 3.135 Advising component institution administrative officials, deans, and directors on projects involving private gift support, suggesting possible granting agencies or benefactors, and assisting when needed in the preparation of grant proposals and their presentation.
- 3.136 Administering procedures for the preparation of gift records, gift processing, gift acknowledgments, and gift docket for the Board.

3.14 Assistant Chancellor for Planning.

Subject to delegation by the Chancellor, the major duties of the Assistant Chancellor for Planning include:

- 3.141 Representing the System in its relations with state and local legislative bodies and agencies.
- 3.142 Advising the Chancellor on relations with state and local legislative bodies and agencies.
- 3.143 Informing appropriate administrative officers of current operations and long-range developments on the state level, which may affect the System.
- 3.144 Maintaining and distributing information on state programs to assure proper action by the System on applications and communications to federal and state agencies and offices.
- 3.145 Assisting the Vice Chancellor for Administration in monitoring federal activities of significance to the System.
- 3.146 Performing such other duties and responsibilities for the efficient operation of the System as shall be assigned by the Chancellor.

3.2 Officers in the Office of Academic Affairs.

3.21 Vice Chancellor for Academic Affairs.

Subject to delegation by the Chancellor, the Vice Chancellor for Academic Affairs has the general assignment

of effective coordination of the general academic institutions. Specifically, his duties include:

- 3.211 Submitting to the Chancellor recommendations on the System programs in education, research, and public service, including general plans and operations of general academic institutions.
  - 3.212 Reviewing and making recommendations on proposals from the general academic institutions requiring action by the Chancellor.
  - 3.213 Working with the general academic institutions to develop general guidelines concerning faculty workload and faculty policies and recommending to the Chancellor System policies on these matters.
  - 3.214 Preparing and submitting to the Chancellor long-range and immediate academic plans for the general academic institutions including programs for continuous evaluation of existing academic programs.
  - 3.215 Pursuant to governing policies, recommending to the Chancellor the annual operating budget requests submitted by each general academic institution.
  - 3.216 Recommending to the Chancellor legislative appropriation requests (and policies for the development of such requests) to be submitted by the System on behalf of the general academic institutions.
  - 3.217 Processing all academic matters for the System general academic institutions with the Coordinating Board, and coordinating other academic matters directed to the Coordinating Board.
  - 3.218 Coordinating the preparation of the agenda for meetings of the Council of Academic Institutions.
  - 3.219 Coordinating the development and implementation of the individual mission of the general academic institutions.
  - 3.21(10) In matters involving joint programs between System general academic institutions and System health institutions, coordinating with the Vice Chancellor for Health Affairs.
  - 3.21(11) Coordinating activities of the Institute of Higher Education Management with all System Components and other interested institutions of higher education and directing development of its programs to provide managerial training for persons in administrative positions in such institutions.
- 3.22 Director of the Institute of Higher Education Management. Subject to delegation by the Vice Chancellor for Academic Affairs, the Director of the Institute of Higher Education Management is responsible for directing the programs and

training activities of said Institute for the purpose of helping university administrators improve their effectiveness.

Specifically, his duties include:

- 3.221 Developing and implementing plans for periodic Institute short courses for those in higher education administrative positions.
- 3.222 Planning and implementing topical seminars on timely issues of importance in higher education.
- 3.223 Communicating with higher education leaders concerning their concepts of critical management problems in higher education and getting their assessment of how Institute programs may meet these needs.
- 3.224 Planning and implementing new Institute programs in a timely fashion such as internship for individuals selected for administrative positions in the higher education institutions in Texas.
- 3.225 Preparing requests for the Institute's budget and proposals for support from various sources of potential funding for its programs.

### 3.3 Officers in the Office of Administration.

#### 3.31 Vice Chancellor for Administration.

Subject to delegation by the Chancellor, the major duties of the Vice Chancellor for Administration include:

- 3.311 Representing the System in its relations with federal governmental bodies and units; informing appropriate administrative officers of the developments on the national level of significance to the System; recommending System actions and policies responsive to those developments, maintaining and distributing information to, and advising appropriate System Administration and component institution officials, in order to assure proper action by the System with respect to federal governmental programs and activities.
- 3.312 Communicating the activities of the Board and the System Administration; coordinating news releases and other public information emanating from the component institutions which releases and information involve the Board and System Administration; coordinating and serving as the liaison to System Administration consultants in the area of media relations and public information dissemination; developing a format for the presentation of information about System institutions and activities to the general public; making recommendations to the Chancellor regarding budget



- requests and staffing requirements for the public information services of the component institutions.
- 3.313 Making recommendations to the Chancellor in the area of public policy as it affects the relationships of the System with the federal government, the press, and the general public.
- 3.314 Performing other duties and assignments as delegated by the Chancellor.

3.4 Officers in the Office of Vice Chancellor for Business Affairs.

3.41 Vice Chancellor for Business Affairs.

Subject to delegation by the Chancellor, the Vice Chancellor for Business Affairs has the general assignment of effective coordination of the business activities of the component institutions in the System. Specifically, his duties include:

- 3.411 Submitting recommendations to the Chancellor on business operations of the components of the System.
- 3.412 Reviewing and making recommendations on uniform business systems and management.
- 3.413 Submitting recommendations relating to programs for the most efficient management of personnel and resources.
- 3.414 Submitting recommendations for program development for training of personnel in nonacademic areas.
- 3.415 Reviewing and making recommendations on programs of long-range planning for physical facilities and financial resources.
- 3.416 Reviewing and making recommendations relating to police and security matters within the System.
- 3.417 Coordinating the business affairs of the System with other officers and members of the System Administration staff.
- 3.418 Coordinating the activities of business administrative operations of the component institutions.
- 3.419 Managing the operations of the offices of Facilities Planning and Construction, System Personnel and Special Services.
- 3.41(10) Supervising and coordinating the acquisition of all real property at the component institutions.
- 3.41(11) Directing the management of the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the Chancellor and coordinating the building services for the System buildings.

- 3.41(12) Directing the management of the System-wide insurance programs (except the System Plan for Professional Medical Malpractice Self-Insurance), including approval of all policies and coverages, such programs to include:  
Fire and Extended Coverage;  
Liability;  
Health;  
Life;  
Accidental Death and Dismemberment;  
Income Replacement; and  
Retirement.

3.42 Budget Director.

The Budget Director's primary responsibilities are to plan and develop systems and procedures for uniform budget preparation, budget control and financial reporting. Subject to delegation by the Vice Chancellor for Business Affairs, the major duties of the Budget Director include:

- 3.421 Formulating procedures governing the preparation and review of all budgets and developing effective methods of presenting approved budgets to appropriate agencies.
- 3.422 Recommending procedures to be followed, including format, schedules of budget preparation, and effective review of budgets.
- 3.423 Preparing budget-writing instructions.
- 3.424 Conducting budget and other related research studies.
- 3.425 Planning systems and procedures for budgetary control and financial reporting.
- 3.426 Controlling and supervising distribution of all budgets and processing and approving (as delegated) interim budget changes.
- 3.427 Preparing periodic budgetary, financial, and special reports, as appropriate.
- 3.428 Serving as liaison with the staff of the Legislative Budget Board, the Governor's Budget Office, and the Coordinating Board, Texas College and University System.

3.43 Comptroller.

- 3.431 Subject to delegation by the Vice Chancellor for Business Affairs, the Comptroller formulates and recommends procedures to be followed in the business operations of the System for:  
3.431(1) Accounting, auditing and reporting, and expenditure control.

- 3.431(2) Receipt, disbursement, and custody of funds.
  - 3.431(3) Procurement and purchasing.
  - 3.431(4) Management of auxiliary service enterprises.
  - 3.431(5) Data processing systems - including prior approval of equipment acquisitions by purchase or lease.
  - 3.431(6) Accounting and business system development.
  - 3.431(7) Accounting records, forms, procedures, and financial reports, including format for such reports.
  - 3.431(8) Terms of depository agreements with banks.
  - 3.431(9) Lease contracts for building space.
  - 3.431(10) Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
  - 3.431(11) Conducting postaudits at each component institution.
  - 3.431(12) Supervising the auditing of oil and gas production.
- 3.432 The Comptroller is responsible as joint custodian with the Director of Accounting for bearer securities owned by System funds that are maintained in bank safe deposit boxes and are not in the custody of the State Treasurer.
- 3.44 Director of Accounting.  
 The Director of Accounting of The University of Texas at Austin serves also as director of accounting for System Administration and is the accounting officer for both The University of Texas at Austin and for System Administration.
- 3.441 Subject to delegation by the Vice Chancellor for Business Affairs, his duties include:
- 3.441(1) Having responsibility for custody, accounting and reporting of all funds handled by the Director of Accounting's Office for the component institutions outside of Austin, and for System Administration, the Permanent University Fund, the Available University Fund, and trust and special funds.
  - 3.441(2) For securities owned by System funds and not in custody of the State Treasurer, having custody of registered securities

- and joint custodian, with the Comptroller, of bearer securities maintained in bank lock boxes.
- 3.441(3) Maintaining a full and complete set of records that accurately reflect the balances and transactions of all financial and property accounts of the System (as contrasted with such accounts of the component institutions).
- 3.442 With respect to System Administration matters, the Director of Accounting reports to and is responsible to the Comptroller. With respect to other matters, he reports to the appropriate officers of The University of Texas at Austin.
- 3.45 Director of Facilities Planning and Construction.  
Subject to delegation by the Vice Chancellor for Business Affairs, the duties of the Director of Facilities Planning and Construction include:
- 3.451 Managing the administration and general supervision of any new building construction and initial equipping thereof costing in excess of \$50,000.00; managing any inside or outside repairs, remodeling, rehabilitation, new construction of improvements other than building, or campus planning costing \$80,000.00 or more; managing any preliminary planning, feasibility studies, or investigations which are estimated to ultimately develop into one of the above projects at any component institution of the System; advising and working with the consultants, architects and engineers employed by the Board subject to the terms and conditions of the contracts with those architects and engineers.
- 3.452 Serving as ex officio member of all faculty building committees at the component institutions.
- 3.453 Preparing and executing all documents relating to the acquisition and the use of funds received from the federal government and state agencies in connection with construction grant awards.
- 3.454 Coordinating the preparation of and approving of all grant applications on approved construction projects filed with governmental agencies.
- 3.455 Coordinating the development of and maintaining of master plans for all component institutions, including but not limited to land utilization, utility and landscape plans.

- 3.456 Developing standards for maintenance of all physical facilities at component institutions.
- 3.457 Directing the negotiation and approval of all utility contracts.
- 3.46 Executive Director for Investments and Trusts.  
Subject to delegation by the Vice Chancellor for Business Affairs, the Executive Director for Investments and Trusts implements, when they are approved by the Board, policies and actions with respect to:
  - 3.461 Investing, managing, and administering of all endowment funds belonging to the System and its component institutions, including the Permanent University Fund and all trusts and special funds.
  - 3.462 Issuing, managing and paying all bonds and other evidences of indebtedness issued by the Board for System and its component institutions.
  - 3.463 Presenting to the Board through the Chancellor periodic reports of the status and prospect of funds for which he has responsibility and that will be available for expenditure by the System and its component institutions.
  - 3.464 Directing the management of all transactions relative to real estate interests owned or controlled by the Board of Regents, except University (Permanent University Fund) Lands.
  - 3.465 Consulting with the Executive Associate for Economic Affairs with respect to the development of long-range plans for the development and management of the economic resources of the System and its component institutions.
- 3.47 System Personnel Director.  
The System Personnel Director's primary responsibility is to plan, develop, and coordinate System-wide personnel policies and procedures. Subject to the delegation by the Vice Chancellor for Business Affairs, the System Personnel Director is responsible for:
  - 3.471 Acting as liaison between component institution personnel officers and the System offices regarding all personnel matters relating to classified personnel, administrative staff, and certain matters relating to teaching and/or academic personnel.
  - 3.472 Advising the System Officers and making recommendations concerning development of methods and procedures designed to maximize the effectiveness of System Personnel Programs.
  - 3.473 Reviewing and recommending all classified personnel pay plans for each component institution, including the establishment of proper

- classification and pay scales consistent with needs and System-wide policies and procedures.
- 3.474 Reviewing and recommending the Personnel Office budgets for each component institution.
- 3.475 Directing the administration of the System Personnel Office, including the Workmen's Compensation Insurance section.
- 3.476 Reviewing and recommending to System Officers any rules and regulations or changes thereto that, after proper consultation with officers of component institutions, are considered beneficial or necessary for the proper administration of the System-wide Personnel Program.
- 3.477 Establishing employee development and training programs for all component institutions, including particularly supervisory training programs.
- 3.478 Formulating policies and procedures concerning labor relations and employer-employee relationships.
- 3.479 Assisting and establishing personnel data systems and proper practices and procedures concerning the personnel records of all employees.
- 3.47(10) Conducting System-wide wage and salary research studies and formulating data for proper implementation of personnel pay programs.
- 3.47(11) In consultation with the personnel offices of the component institutions, developing and maintaining a System-wide personnel pay plan with uniform titles and account numbers.
- 3.47(12) Supervising and coordinating the affairs of the Office of Equal Employment Opportunity and Employee Relations.
- 3.48 Director of Police.  
Subject to delegation by the Vice Chancellor for Business Affairs, the Director of Police is responsible for:
  - 3.481 Approving qualifications for police personnel at the component institutions of the System and approving all applicants to a basic or in-service training school or academy.
  - 3.482 Approving the organizational structure for police departments at the component institutions of the System.
  - 3.483 Establishing and supervising all training programs for System police, including basic and in-service training, as well as on-the-job training at each component institution of the System.
  - 3.484 Conducting the System training in accordance with the standards of the Texas Commission on Law

Enforcement Officer Standards and Education, in order to maintain accreditation with this state agency.

- 3.485 Maintaining liaison with the Director of Training, Texas Department of Public Safety, and the Coordinator of Training, Federal Bureau of Investigation, and being aware of new training techniques, procedures, programs, and equipment.
- 3.486 Establishing a uniform reporting and record system for police departments at the component institutions of the System and approving any changes thereto.
- 3.487 Conducting periodic inspection of the police departments of the component institutions of the System and evaluating their performance as police agencies.
- 3.488 Formulating and establishing policies and procedures for police operations on a System-wide basis.
- 3.489 Establishing, maintaining, and supervising on a System-wide basis, a program for police personnel promotion.
- 3.48(10) Reviewing and recommending the pay scale for police personnel throughout the System.
- 3.48(11) Surveying all component institutions of the System for security needs of existing buildings, grounds, and lighting, in order to make the appropriate recommendations to insure the prevention of criminal activities and the protection of life and property.
- 3.48(12) Consulting with the Office of Facilities Planning and Construction on security needs for new construction, including security lighting on the property of the component institutions of the System.
- 3.48(13) Coordinating the use of police throughout the System in emergency situations.
- 3.48(14) Submitting periodic reports to the Vice Chancellor for Business Affairs concerning the operations of the police departments of the System.

### 3.5 Officers in the Office of Health Affairs.

#### 3.51 Vice Chancellor for Health Affairs.

Subject to delegation by the Chancellor, the Vice Chancellor for Health Affairs has the general assignment of effective coordination of those component institutions concerned primarily with health sciences. Specifically, his duties include:

- 3.511 Submitting to the Chancellor recommendations on System programs on health science education, research, and public service, including general

- plans and operations for the health institutions.
- 3.512 Reviewing and making recommendations on proposals from the health institutions requiring action by the Chancellor.
- 3.513 Preparing and submitting to the Chancellor long-range and immediate plans for health science education, research and public service for the health institutions.
- 3.514 Recommending to the Chancellor the annual operating budget requests submitted by each health institution.
- 3.515 Recommending to the Chancellor legislative appropriation requests (and policies for the development of such requests) to be submitted by the System on behalf of the health institutions.
- 3.516 Processing all matters for the System health institutions with the Coordinating Board, and coordinating other health education matters directed to the Coordinating Board.
- 3.517 Preparing the agenda for the meetings of the Council of Health Institutions.
- 3.518 Coordinating the development and implementation of interinstitutional programs to benefit the individual health institutions in the achievement of their missions.
- 3.519 Interpreting the health institutions' policies and programs to health professional groups at the local, state and national levels, and coordinating efforts with such health professional groups and state and federal regulatory agencies to assist the health institutions in the achievement of their missions.
- 3.51(10) Providing direction for the efficient and effective operation of The University of Texas System Medical-Dental Application Center.
- 3.51(11) Directing the activities of the Institute for Health Policy and Planning and coordinating its activities with both state and federal governmental agencies and health professional groups.
- 3.51(12) Coordinating with the Vice Chancellor for Academic Affairs in matters involving joint programs between System academic institutions and System health institutions.

3.6 Officers in the Office of Lands Management and the Office of General Counsel.

3.61 Vice Chancellor for Lands Management and General Counsel.

Subject to delegation by the Chancellor, the Vice Chancellor for Lands Management and General Counsel is



responsible for (a) providing direction and management of the husbandry, utilization, and sale of University (Permanent University Fund) Lands; (b) providing all legal services required by the System and its personnel to insure the proper protection and advancement of its interests; and (c) maintaining such management, supervision, and services at a high level of effectiveness. The major duties of the Vice Chancellor for Lands Management and General Counsel include:

- 3.611 Directing the management and supervision of all legal personnel and affairs of the System.
- 3.612 Directing the personnel, operations, activities and transactions of the System (except accounting and auditing) with respect to the surface of University (Permanent University Fund) Lands.
- 3.613 Directing the personnel, operations, activities and transactions of the System (except accounting and auditing) with respect to oil, gas and mineral exploration and production on the University (Permanent University Fund) Lands.
- 3.614 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 3.615 Directing and managing the operation of the following budgeted activities which are part of the Office of Lands Management: Board for Lease - University Lands, University Lands - Geology and Surveying, Oil Field Supervision and Geophysical Exploration, and University Lands - Surface Leasing.
- 3.616 Providing advice, counsel and legal interpretations to System officials and personnel concerning legal matters affecting System operations.
- 3.617 Directing the Office of General Counsel (OGC) personnel with respect to work priorities and assignments, standards of performance, and career development, delegating to staff members responsibility for particular legal and OGC administrative tasks; and coordinating and controlling OGC budget and personnel levels.
- 3.618 Directing and managing (within applicable limits of authority) all litigation and administrative agency hearings; authorizing and approving the institution of legal proceedings; evaluating, directing and approving action and procedures relative to prosecution or defense of pending litigation and administrative proceedings; employing

outside counsel; and authorizing and approving settlement or appeal of litigation.

- 3.619 Advising, counseling, and disseminating information to affected System units relative to the nature, evaluation, progress, and results of litigation, administrative proceedings, and other legal matters, and making recommendations to System officials and other personnel as to future operations and objectives.
- 3.61(10) Approving as to form all contracts and agreements and all amendments to the Regents' Rules and Regulations; and approving as to form all institutional Handbooks of Operating Procedures, whether finally approved or not, and all amendments to such Handbooks.
- 3.61(11) Drafting all legislation that has been approved by the Board or requested by any System officer for submission to the Board for approval.
- 3.61(12) Identifying and evaluating administrative and functional problems and directing or recommending, as appropriate, course of action for solution.
- 3.61(13) Representing the System before legal, educational and governmental groups and associations.
- 3.61(14) Acting as administrator of the System Plan for Professional Medical Malpractice Self-Insurance and System Patent Officer.
- 3.61(15) Working in cooperation with the Attorney General of the State of Texas, State Agency legal counsel and outside counsel.
- 3.61(16) Assuming responsibility for any other legal, administrative or operational matters delegated by the Chancellor.

3.62 Manager of University Lands - Oil, Gas and Mineral Interests.

Subject to delegation by the Vice Chancellor for Lands Management and General Counsel, the Manager of University Lands - Oil, Gas and Mineral Interests is responsible for providing field supervision of System operations, activities and transactions involving oil, gas and mineral development and production on the University Lands. Within limits of authority set by said Vice Chancellor, such Manager's regular duties include:

- 3.621 Making recommendations to the Board for Lease of University Lands, and the Board of Regents, as appropriate, for periodic oil and gas lease sales of University Lands, and for unitization, pooling and other transactions involving oil and

- gas leasehold and royalty interests and other mineral interests in University Lands, after such recommendations have been approved by the Vice Chancellor for Lands Management.
- 3.622 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him.
- 3.623 Reviewing periodically the terms and conditions of forms and transactions involving oil and gas interests in University Lands, and making recommendations with respect thereto to the Vice Chancellor for Lands Management.
- 3.624 Reporting regularly to the Vice Chancellor for Lands Management all activities, developments and problems which could significantly affect System interests and University Lands, together with his recommendations with respect thereto.
- 3.625 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 3.626 Coordinating with the Manager of University Lands - Surface Interests in the discharge of their duties and responsibilities.
- 3.63 Manager of University Lands - Surface Interests.  
 Subject to delegation by the Vice Chancellor for Lands Management and General Counsel, the Manager of University Lands - Surface Interests is responsible for providing field supervision of System operations, activities, and transactions pertaining to surface interests, water rights and oil and gas field operations in or on University Lands. Within limits of authority set by said Vice Chancellor, such Manager's regular duties include:
- 3.631 Making recommendations to the Board with respect to all transactions involving surface interests in University Lands, including research projects, right-of-way easements, agricultural, grazing and other surface use leases, and geophysical permits, after such recommendations have been approved by the Vice Chancellor for Lands Management.
- 3.632 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him.
- 3.633 Reviewing periodically the terms and conditions of forms and transactions involving surface interests in University Lands, and making recommendations with respect thereto to the Vice Chancellor for Lands Management.

- 3.634 Reporting regularly to the Vice Chancellor for Lands Management all activities, developments and problems which could significantly affect System interests in University Lands, together with his recommendations with respect thereto.
  - 3.635 Working closely with federal and state agencies in connection with research and development projects and activities, involving utilization and husbandry of University Lands, of mutual interest to the System and such agencies.
  - 3.636 Coordinating with the Manager of University Lands - Oil, Gas and Mineral Interests in the discharge of their respective duties and responsibilities, and acts as oil and gas fields supervisor.
- 3.64 Associate General Counsel.  
 Subject to delegation by, and within limits of authority set by the Vice Chancellor for Lands Management and General Counsel, the Associate General Counsel provides direct management and supervision of personnel and activities of the Office of General Counsel (OGC), and is responsible for the following duties:
- 3.641 Managing and supervising the activities of the OGC with respect to the System Patent Office, the System Plan for Professional Medical Malpractice Self-Insurance and legal services for the System, including counsel and advice, litigation and litigation management, preparation and approval of documents, administrative hearings and their management, and preparation and analysis of legislation.
  - 3.642 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating work of all OGC personnel reporting to him.
  - 3.643 Identifying and evaluating administrative and functional problems and recommending to the General Counsel a course of action for their solution.
  - 3.644 Reporting regularly to the General Counsel all legal and other OGC activities and developments of significance to OGC or System interests, together with his recommendations thereto if any.
  - 3.645 Substituting for the General Counsel as assigned, assuming responsibility for any other legal or administrative matter delegated by the General Counsel with respect to the responsibilities and activities of the OGC.
  - 3.646 Providing legal counsel and advice to System officers, and their staffs, with respect to legal

- 3.647 matters arising from System operations. Representing the System in court and before administrative boards and tribunals.
- 3.648 Preparing, analyzing, and giving legal approval to agreements, contracts and various legal documents and instruments; amendments to Regents' Rules and Regulations; and approval as to form all institutional Handbooks of Operating Procedures, and all amendments thereto.
- 3.649 Reviewing, analyzing and providing legal counsel on pending and enacted legislation and governmental regulations, and drafting proposed legislation and regulations.

3.7 Councils of System Administration.

3.71 The Council of Academic Institutions.

The Council of Academic Institutions is composed of the Chancellor, the Vice Chancellor for Academic Affairs, and the chief administrative officers of the general academic institutions of the System. The Chancellor shall serve as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented. The Vice Chancellor for Academic Affairs shall be the permanent vice-chairman.

3.72 The Council of Health Institutions.

The Council of Health Institutions is composed of the Chancellor, the Vice Chancellor for Health Affairs, and the chief administrative officers of the component institutions of the System concerned directly with health affairs. The Chancellor acts as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented. The Vice Chancellor for Health Affairs shall be the permanent vice-chairman.

3.73 The Business Management Council.

The Business Management Council advises the Chancellor in the areas of budgeting, business management, data processing, physical plant operations, planning, construction, and accounting systems development. The Council is composed of the chief business officers of the component institutions and the Vice Chancellor for Business Affairs (the Chairman), who prepares the agenda.

Sec. 4. Chief Administrative Officers of Component Institutions.

- 4.1 The Board selects the chief administrative officer of each component institution.

- 4.11 When it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution having faculty and students, an Advisory Committee with the Chancellor as Chairman shall be established as follows to recommend candidates to the Board:

Chancellor (Chairman)

Vice Chancellor for Health Affairs or Vice  
Chancellor for Academic Affairs  
(as determined by the Chancellor)

Three Chief Administrative Officers  
(to be appointed by the Chairman of  
the Board from three of the compo-  
nent institutions)

Three Regents  
(to be appointed by the Chairman of  
the Board)

Five Faculty members of the institution involved,  
at least three of whom shall have the  
rank of associate professor or higher  
(method of selection to be determined  
by the General Faculty of the campus)

One Dean  
(for academic institutions to be selected  
by Dean's Council of the institution  
involved) (for health science centers to  
be the Dean of Medicine of the health  
science center involved)

Two Students from the institution involved  
(method of selection to be determined  
by the Student Government of the  
campus involved or, if there be no  
Student Government, by the chief  
administrative officer of the  
institution)

President of the Ex-Students' Association of the  
campus involved or his designee (if  
institution does not have an active alumni  
organization, then a member of the devel-  
opment board or an interested layman to  
be appointed by the chief administrative  
officer of the institution involved.)

- 4.12 When it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution not having faculty and students, an Advisory Committee shall be appointed by the Chancellor, subject to approval of the Chairman of the Board. The Chancellor shall be Chairman of said Committee.

- 4.13 The Advisory Committee shall determine the availability of each candidate selected. To evaluate a candidate, the Advisory Committee shall set up criteria that relate to the needs of the individual component and shall seek advice on the ability of each candidate interviewed including advice from competent sources as to the candidate's administrative and business ability.
- 4.14 Finally, the Advisory Committee shall submit through its Chairman, the Chancellor, its recommendations with no preference indicated. Candidates submitted shall have received a majority vote of the Committee. If none of the names submitted in the report of the Advisory Committee is satisfactory to the Board, then the Board in its discretion may either name a new committee or proceed to select a chief administrative officer under such other procedures as in its discretion it may deem proper and appropriate.
- 4.2 Each chief administrative officer reports to and is responsible to the Chancellor, and serves without fixed term, subject to the pleasure of the Chancellor and approval by the Board.
- 4.3 Within the policies and regulations of the Board, and under the supervision and direction of the Chancellor, the chief administrative officer has general authority and responsibility for the administration of that institution.
  - 4.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:
    - 4.311 Develop and administer plans and policies for the program, organization, and operation of the institution.
    - 4.312 Interpret the System policy to the staff, and interpret the institution's program and needs to the Chancellor and to the public.
    - 4.313 Develop and administer policies relating to students, and where applicable, to the proper management of services to patients.
    - 4.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
    - 4.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.

- 4.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.
- 4.317 Serve as presiding officer at official meetings of faculty and staff of the institution, and as ex officio member of each college or school faculty (if any) within the institution.
- 4.318 Appoint, or establish procedures for the appointment of, all faculty, staff, and student committees.
- 4.319 Cause to be prepared and submitted to the Chancellor the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the Chancellor, they shall thereafter constitute the Handbook of Operating Procedures for that institution. Provided, however, that whether or not finally approved by the Chancellor, any rule or regulation in any such institutional Handbook of Operating Procedures that is in conflict with any rule or regulation in the Regents' Rules and Regulations, is null and void and has no effect, and whenever any such conflict is detected, the Chancellor and the chief administrative officer of the component institution shall immediately make such amendments to the institutional Handbook of Operating Procedures as may be necessary to eliminate such conflict.
- 4.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 4.31(11) Assume active leadership in developing private fund support for the institution in accordance with policies and procedures established in the Regents' Rules and Regulations.

Sec. 5. Appointment of Other Administrative Officers.

- 5.1 The Board delegates to the Chancellor and the Chancellor delegates to the chief administrative officer of each component institution the responsibility for the appointment and dismissal of all other administrative officers of each component institution, including vice presidents, deans, directors and their equivalents. However, prior approval of the Chancellor shall be necessary for each such permanent or acting appointment and for each such dismissal whether from a permanent or acting appointment. All such other



administrative officers serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution and the aforesaid approval of the Chancellor.

- 5.2 The Board delegates to the Chancellor and the Chancellor delegates to the chief administrative officer of each component institution the responsibility for the permanent or acting appointment of department chairmen, department heads, and their equivalents. Such department chairmen, department heads and their equivalents serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution.
- 5.3 The Board endorses the principle of reasonable faculty and student consultation in the selection of administrative officers of the component institutions, and the primary operating units, and expects the chief administrative officer, as he deems appropriate, to consult in the selection process with the representatives of the faculty and student body. However, the chief administrative officer of the component institution is responsible for executing the duties of his office and consequently shall not be bound by nominations to administrative positions in his institution by campus selection committees, and the Handbook of Operating Procedures of each component institution shall so state.

CHAPTER III  
PERSONNEL

Sec. 1. Appointments.

- 1.1 The Board, upon the recommendation of the Chancellor, shall elect or appoint, as the case may be, all of the officers, faculty members, and other employees of the System and of the component institutions and agencies of the System, fixing, subject to State and Federal laws, the duties, rights, and privileges of each employee or each class or group of employees; provided, however, that the Board may delegate to the Chancellor, or through him, to the chief administrative officers of the component institutions, authority to appoint employees in certain designated classes or categories.
- 1.2 All appointments shall be made on the basis of merit.
- 1.3 The chief administrative officers of the component institutions shall investigate thoroughly the character, integrity, scholastic attainment, and other qualifications of prospective members of their faculties and staffs before nominating them to the Chancellor and the Board, or before exercising any delegated authority for making appointments.
- 1.4 The chief administrative officers of the component institutions shall not nominate or appoint, nor will the Board approve the appointment of, any person whose conduct or views are not exemplary; and the Board may inquire, or authorize inquiry, into family history, health, and personal and moral character of such person.
- 1.5 As provided in the Constitution of the State of Texas, Article I, Section 4, and by statute, no religious qualification shall be required for appointment to any office or position connected with the System or any component institution thereof.
- 1.6 There shall be full compliance with statutory provisions requiring notification to employees.
- 1.7 Each component institution may require X-rays of the chest for applicants to be employed in regular positions. Employees

whose duties will require the handling of food or the care of patients must pass a physical examination indicating fitness for the position for which application is made. The examination may be made at the health service of the component institution at which the applicant will be employed, if such service exists. Reports of physical examinations shall be filed as determined by the institutional head.

#### 1.8 Academic Titles.

In order to achieve consistency in the use of academic titles among the component institutions of the System, the following subsections describe the use of titles to apply in all institutions from the date of adoption of this section.

- 1.81 Except for the title Regental Professor, the only titles to be used henceforth in which faculty members may hold tenure are as follows:
- (a) Professor
  - (b) Associate Professor
  - (c) Assistant Professor
- 1.82 Persons holding a named chair or professorship or a position designated by academic discipline may acquire tenure by virtue of one of the three positions listed above, but not through the named chair or professorship or position designated by academic discipline. At M. D. Anderson, the institution head under special circumstances may use the term Faculty Associate in lieu of Instructor.
- 1.83 Other academic titles which may be used but in which tenure cannot be held are as follows:
- (a) Instructor. This title denotes a probationary appointment as a member of an institutional faculty. During the period of probationary appointment to this rank the scholarly competence, teaching performance, and professional promise of the candidate will be evaluated.
  - (b) Lecturer. This title is used for persons whose salary rates are comparable to those with tenure positions but who for various reasons should not be given formal tenure appointments.
  - (c) Assistant Instructor or Teaching Associate. These titles may be used interchangeably for (1) certain graduate students teaching on a part-time or full-time basis who are in the last phase of their doctoral programs and who are unconditionally enrolled in graduate study, or (2) persons who, because of the nature of their duties, such as in

a laboratory or in a hospital, do not qualify for one of the usual academic titles and do not hold the academic training or professional distinction usually required for attaining tenure positions.

(d) Teaching Assistant. This title usually applies to graduate students who are teachers and who are employed on a part-time basis. The only other teaching titles for graduate students are Teaching Associate and Assistant Instructor.

(e) Faculty Associate. This title may be applied to a person assigned to a research or nonteaching center, institute, or other unit or interdisciplinary program of a component institution.

(f) Specialist. This title may be used for professional individuals who will serve as practitioners in specific areas of instruction, training or supervision. Upon approval of the institutional head and the Chancellor, the title may carry appropriate descriptive prefixes so as to indicate the specific area of proficiency, e. g. Practice Teaching Specialist, Physical Activity Specialist, Social Work Field Training Specialist.

(g) In the health components, persons appointed to full-time positions for the primary purpose of research activities, with only incidental teaching or patient care duties, shall be given one of the following titles:

(1) Research Professor of

(title of specialty)

(2) Research Associate Professor of

(title of specialty)

(3) Research Assistant Professor of

(title of specialty)

An appointment to one of these titles shall be for a period of time not to exceed one academic year. Such appointments shall terminate at the expiration of the stated period of appointment without the notification of nonrenewal required by Section 6.8 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to one of these titles.

(h) In the health components, persons appointed to full-time positions for the primary purpose of patient care activities, with only incidental teaching or

research duties, shall be given one of the following titles:

- (1) Professor of Clinical \_\_\_\_\_  
(title of specialty)
- (2) Associate Professor of Clinical \_\_\_\_\_  
(title of specialty)
- (3) Assistant Professor of Clinical \_\_\_\_\_  
(title of specialty)

An appointment to one of these titles shall be for a period of time not to exceed one academic year. Such appointments shall terminate at the expiration of the stated period of appointment without the notification of nonrenewal required by Section 6.8 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to one of these titles.

- 1.84 Prefixes to academic and staff positions in which tenure cannot be acquired:
- (a) Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. These titles are used only for temporary appointments of persons either visiting from other institutions where they hold similar ranks or who are brought to the University on a trial basis. Such appointments are limited to two years.
  - (b) Adjunct Professor, Adjunct Associate Professor, and Adjunct Assistant Professor. One of these titles may be used when a qualified person from business, industry, government, private practice, or another institution of higher education may be teaching a course or participating in the teaching of a course at one of the component institutions. Except in special circumstances, this prefix should be used to designate part-time service on the faculty. In the health components, this prefix should be used only for those persons not involved in patient care who otherwise satisfy the above criteria. Appointments to the faculty with an adjunct title may be with or without pay and shall be for a stated period of time not to exceed one academic year. Such appointments shall terminate upon expiration of the stated period of appointment without the notification of nonrenewal required by Section 6.8 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to an adjunct faculty member.

- (c) Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor and Clinical Instructor. These titles may be used by the components to designate regular part-time service on the faculty while involved in a health professions clinical experience program. Appointments to the faculty with a clinical title may be with or without pay and shall be for a period of time not to exceed one academic year. Such appointments shall terminate upon expiration of the stated period of appointment without the notification of nonrenewal required by Section 6.8 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to a clinical faculty member.
- (d) Professor Emeritus and Associate Professor Emeritus. One of these titles may be given to a retired faculty member or in anticipation of the retirement of a faculty member, effective upon his retirement. The conferring of one of these titles is not automatic upon retirement and is conferred in accordance with procedures developed at the institution and upon approval by the chief administrative officer of the component institution.
- 1.85 Any person holding a position of Research Scientist, Research Associate, Research Assistant, or (in the health units) other appropriate research title, will be under the classified personnel system, unless special approval has been granted by the chief administrative officer of the institution to designate him as an unclassified employee in such a position.
- 1.86 Any faculty member who is awarded the Nobel Prize or who has in the past been awarded the Nobel Prize may, upon recommendation of the chief administrative officer of the component institution and the Chancellor, be given the title Regental Professor. Because of the great honor associated with the award of a Nobel Prize, institutional tenure is awarded to Regental Professors by virtue of the appointment to this rank.
- 1.87 The following titles, which have been used in the past, shall not be used in the future:
- (a) System Professor
  - (b) University Professor

- (c) Research Professor. Positions for which this title was used in the past should carry the title of Research Scientist or Research Associate or other appropriate title except in the health units as outlined in Section 1.83(g).
- (d) Guest Professor. In the future Visiting Professor should be used in lieu of this title.

Although persons may not in the future be appointed to any of the above four titles, this provision does not require that such titles be removed from persons currently holding them, provided, however, that present System Professors must be assigned to specific departments in specific institutions for purposes of determining accountability for their time, and present University Professors must be assigned to specific departments at their institutions for purposes of determining accountability for their time.

## Sec. 2. Classified Personnel Systems.

- 2.1 Subject to System-wide rules, each of the component institutions shall provide a classified personnel system covering all positions not entailing significant instructional responsibilities or responsibilities for administration of instructional or research activities. These systems shall be as nearly uniform as possible, and shall include a schedule of class titles, job specifications for each class, a schedule of pay ranges, and policies and rules relating to personnel administration.
- 2.2 All appointments of classified personnel shall be made within appropriate salary ranges and on salary steps as defined by the classified personnel program approved by the Board for the particular component institution.
- 2.3 The System-wide rules as to classified personnel are found in Part Two, Chapter V, Section 1.

## Sec. 3. Employment of Aliens on Sponsored Projects.

Where sponsored contracts and grants do not otherwise prohibit or limit the employment of noncitizens, a noncitizen may be employed upon certification by an appropriate administrative officer at the component institution, that he has examined the applicant's visa and found it to be in order and has ascertained that the applicant has the approval of the United States Immigration authorities to accept such employment.

Sec. 4. Code of Ethics. --Each employee, under State law, shall be furnished a copy of the Code of Ethics (V.C.S. 6252-9b) and, in addition thereto, shall adhere to the following standards of conduct for employees of the System and its component institutions:

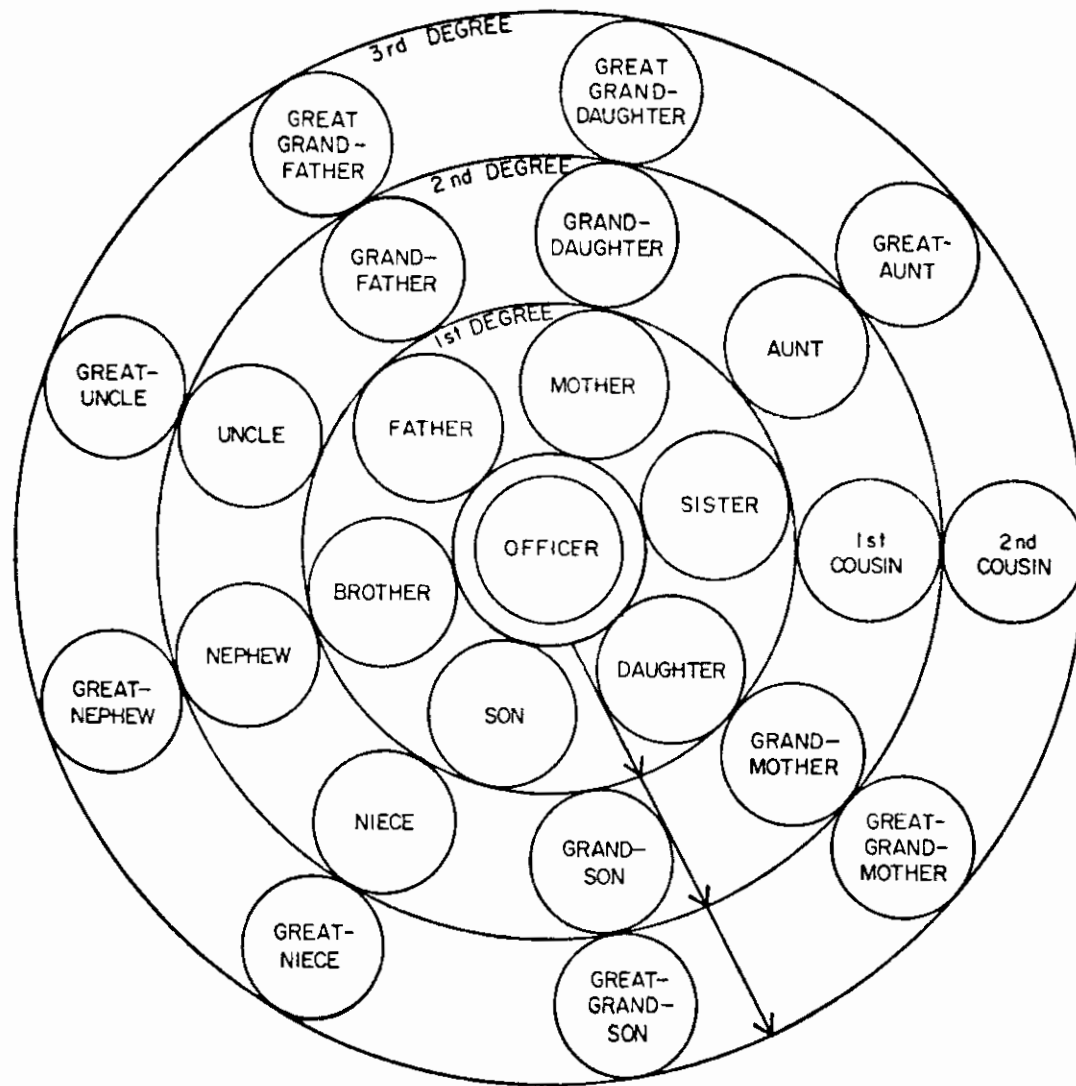
- 4.1 No employee shall accept any gift, favor, or service that might reasonably tend to influence him in the discharge of his official duties.
- 4.2 If an employee owns a controlling interest in a corporation, firm, partnership, or other business entity which is under the jurisdiction of any State regulatory agency, he shall file a sworn statement with the Secretary of State disclosing such interest.
- 4.3 No employee shall use his official position to secure special privileges or exemptions for himself or others, except as may be otherwise provided by law.
- 4.4 No employee shall accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position.
- 4.5 No employee shall disclose confidential information gained by reason of his official position, nor shall he otherwise use such information for his personal gain or benefit.
- 4.6 No employee shall transact any business in his official capacity with any business entity of which he is an officer, agent, or member, or in which he owns a controlling interest.
- 4.7 No employee shall make personal investments in any enterprise which will create a substantial conflict between his private interests and the public interest.
- 4.8 No employee shall accept other employment which might impair his independence of judgment in the performance of his public duties.
- 4.9 No employee shall receive any compensation for his services as an employee from any source other than the State of Texas, except as may be otherwise provided by law.

Sec. 5. Appointment of Relatives (Nepotism Rule).

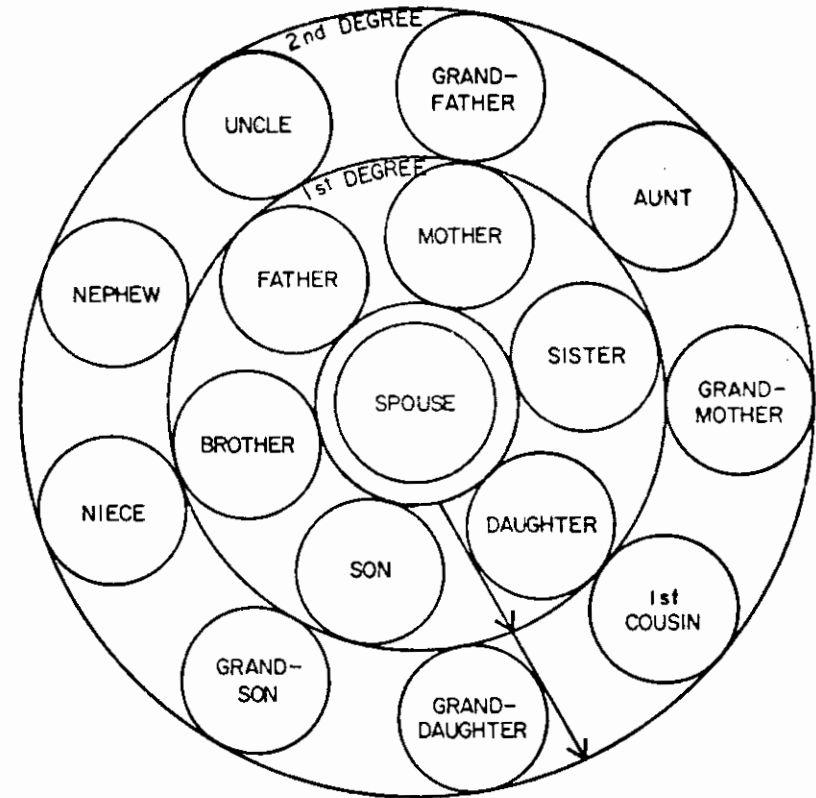
- 5.1 Whenever an appointment is made, either on a full-time or part-time basis, it shall be made solely with regard to the special fitness of the appointee, subject to applicable statutes; and subject also to the provisions of this section of the Regents' Rules and Regulations.



- 5.2 In accordance with the prohibition of Article 5996a, Vernon's Civil Statutes, no person related to any member of the Board of Regents within the second degree by affinity or within the third degree by consanguinity shall be eligible for appointment to any office, position, employment, or duty with The University of Texas System or any component institution thereof, when the salary, fee, or compensation of such appointee is to be paid, either directly or indirectly, out of public funds of any kind.
- 5.21 Article 5996a, Vernon's Civil Statutes, does not prohibit the reappointment or continued employment of any person who shall have been continuously employed in any such office, position, employment, or duty for a period of two (2) years prior to the appointment of the member of the Board of Regents related to such person within the prohibited degree, nor does it apply to prohibit honorary or nonremunerative positions.
- 5.22 Those persons related within the prohibited degrees are indicated on the charts displayed in this Section as Table I.
- 5.23 The prohibition of Article 5996a, Vernon's Civil Statutes, applies to all programs administered under the Board of Regents and may not be waived.
- 5.3 Even though the appointment of a person would not be prohibited by Article 5996a, Vernon's Civil Statutes, no officer, official or employee of The University of Texas System may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such officer, official, or employee within the second degree by affinity or the third degree by consanguinity regardless of the source of funds for payment of salary.
- 5.31 If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the above specified degree, all subsequent actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by the component institution's Personnel Director in the case of classified employees or the chief administrative officer in the case of faculty or nonclassified employees.
- 5.32 The provisions of Section 5.31 shall apply to situations where two employees of the System marry and one spouse is the administrative supervisor of the other.
- 5.33 All situations covered by Section 5.31 shall be reported annually through the institution's docket.



CONSANGUINITY KINSHIP CHART



AFFINITY KINSHIP CHART

TABLE I

## Sec. 6. Tenure, Promotion, and Termination of Employment.

- 6.1 Subject to the provisions of Section 65.32 of the Texas Education Code, which reads, "The board may remove any officer, member of the faculty, or employee connected with the system when in its judgment the interest of the system requires the removal," and subject to the terms and provisions of these Regents' Rules and Regulations, the principles governing tenure and promotion are specified for each component institution in the Handbook of Operating Procedures applicable to that institution. See also Section 1.8 above on academic titles.
- 6.2 Tenure denotes a status of continuing appointment as a member of the faculty at a component institution. Except for the title Regental Professor, only members of the faculty with the academic titles of Professor, Associate Professor, or Assistant Professor may be granted tenure. Tenure may be granted at the time of appointment to any of such academic ranks, or tenure may be withheld pending satisfactory completion of a probationary period of faculty service, however, such tenure status shall not be applicable to the faculty of The University of Texas of the Permian Basin or The University of Texas System Cancer Center.

The University of Texas of the Permian Basin and The University of Texas System Cancer Center are authorized to award a seven-year term appointment which will denote a status of continuing appointment at that institution as a member of the faculty for a period of seven years. Only members of the faculty with academic titles of Professor, Associate Professor, or Assistant Professor may be granted a seven-year term appointment. A seven-year term appointment may be granted at the time of appointment to any of such academic ranks, or may be withheld pending satisfactory completion of a probationary period of faculty service.

No component institution may adopt or implement a seven-year term appointment policy except The University of Texas of the Permian Basin and The University of Texas System Cancer Center.

- 6.21 Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and Instructor, or any combination thereof, shall be counted toward fulfillment of a required probationary period related to the acquisition of tenure or a seven-year term appointment. Periods during which a faculty member is on leave of absence shall not be counted toward fulfillment of a required probationary period.
- 6.22 Prior service at other academic institutions, whether inside or outside the System, shall not be counted toward fulfillment of the required probationary period unless

specifically permitted under the provisions of a component institution's Handbook of Operating Procedures.

- 6.23 The maximum period of probationary faculty service in nontenured status in any academic rank or combination of academic ranks specified in Section 6.21 shall not be more than seven years of full-time academic service. In the event that a component institution fails to specify the maximum length of probationary service in its Handbook of Operating Procedures, such period shall be seven years. No later than August 31st of the penultimate academic year of the maximum probationary period in effect at any component institution, all nontenured faculty serving in a rank which accrues time toward satisfaction of a probationary period shall be given notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure or a seven-year term appointment will be granted. In the event that the employment of a nontenured faculty member is to be terminated prior to the end of the maximum probationary period notice shall be given in accordance with Section 6.8 below.
- 6.24 For purposes of calculating the period of probationary service, an "academic year" shall be the period from September 1st through the following August 31st. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the following September 1st shall not be counted as academic service toward fulfillment of the maximum probationary period. One year of probationary service is accrued by at least nine months full-time academic service during any academic year. A faculty member shall be considered to be on full-time academic service if he is in full compliance with regental standards pertaining to minimum faculty workloads at general academic institutions or when in compliance with the academic service standard in the Handbook of Operating Procedures of any health-related institution.
- 6.25 All faculty appointments are subject to the approval of the Board. No nontenured member of the faculty should expect continued employment beyond the period of his or her current appointment as approved by the Board. Any commitment to employ a nontenured member of the faculty beyond the period of his or her current appointment shall have no force and effect until approved by the Board.
- 6.3 Termination by an institution of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of their

appointment, except by resignation or retirement for age in accordance with these rules, will be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the System.

- 6.31 An institutional head may for grave cause suspend an accused faculty member pending immediate investigation or speedy trial as hereinafter provided.
- 6.32 In cases of incompetency, gross immorality, or felony, where the facts are admitted, summary dismissal will follow.
- 6.33 In cases where other offenses are charged, and in all cases where the facts are in dispute, the accused faculty member will be informed in writing of the charges against him, which, on reasonable notice, will be heard by a special hearing tribunal whose membership shall be appointed by the institutional head from members of the faculty whose academic rank is at least equal to that of the accused faculty member.
  - 6.331 In every such hearing the accused will have the right to appear in person and by counsel of his own selection and to confront and cross-examine witnesses who may appear against him.
  - 6.332 He shall have the right to testify, but may not be required to do so, and he may introduce in his behalf all evidence, written or oral, which may be relevant or material to his defense.
  - 6.333 A stenographic or electronic record of the proceedings will be taken and filed with the Board, and such record shall be made accessible to the accused.
  - 6.334 A representative of the institution may appear before the hearing tribunal to present witnesses and evidence against the accused faculty member and in support of the charge brought against such faculty member, and such institution representative shall have the right to cross-examine the accused faculty member (if he testifies in his own behalf) and the witnesses offered on behalf of the faculty member.
  - 6.335 The hearing tribunal shall not include any accuser of the faculty member. If the accused faculty member is not satisfied with the fairness or objectivity of any member or members of the hearing tribunal, he may challenge his or their alleged lack of fairness or objectivity, but any such challenge must be made prior to the submission of any evidence to the hearing

tribunal. The accused faculty member shall have no right to disqualify any such member or members from serving on the tribunal. It shall be up to each such challenged member to determine whether he can serve with fairness and objectivity in the matter, and if any such challenged member should voluntarily disqualify himself, the institutional head shall appoint a substitute member of the tribunal who is qualified hereunder.

- 6.336 The hearing tribunal, by a majority of the total membership, will make written findings on the material facts and a recommendation of the continuance or termination of the accused faculty member's tenure. The hearing tribunal, by a majority of its total membership, may make any supplementary suggestions it deems proper concerning the disposal of the case. The original of such findings and the basic recommendation, together with any supplementary suggestions, shall be delivered to the Board and a copy thereof to the accused. If minority findings, recommendation, or suggestions are made, they shall be similarly treated.
- 6.34 The Board, by a majority of the total membership, will approve, reject, or amend such findings, recommendation, and suggestions, if any, or will recommit the report to the same tribunal for hearing additional evidence and reconsidering its findings, recommendation, and suggestions, if any. Reasons for approval, rejection, or amendment of such findings, recommendation, or suggestions will be stated in writing and communicated to the accused.
- 6.35 Nontenured faculty members who are notified in accordance with Section 6.8 that they will not be reappointed or who are notified in accordance with Section 6.23, 6.8, or 6.9 that the subsequent academic year will be the terminal year of appointment shall not be entitled to a statement of the reasons upon which the decision for such action is based. No hearing to review such a decision shall be held unless the affected faculty member submits in writing to the chief administrative officer of the institution factual allegations that the decision to terminate was based upon the faculty member's exercise of rights guaranteed by the laws or Constitution of this State or the United States and requests an administrative hearing to review these allegations. Such allegations shall be heard under the same procedures as in the case of dismissal for cause, with the following exceptions:
- (1) the burden of proof is upon the affected faculty member to establish at such hearing that the

decision in question was based on his exercise of rights guaranteed by the laws or Constitution of this State or the United States;

- (2) the administration of the institution need not state the reasons for the questioned decision or offer evidence in support thereof unless the affected faculty member presents a prima facie case in support of his allegations.

- 6.4 Any employee of any component institution of the System, including any member of the faculty or administration, who is placed on probation by a court of competent jurisdiction for, or finally convicted of, the illegal use, possession, or sale of a drug or narcotic, shall be dismissed as an employee, regardless of whether or not the illegal act that gave rise to the conviction was committed on the campus of one of the component institutions of the System.
- 6.5 Any employee of any component institution of the System, including any member of the faculty or administration, who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to dismissal as an employee. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.
- 6.6 Every faculty member and employee is expected to obey all federal, state, and local laws, and particularly Section 42.01 (Texas Penal Code) and Sections 4.30 and 4.31 (Texas Education Code). Any faculty member or employee who violates any provision of these three statutes is subject to dismissal as a faculty member or employee, notwithstanding any action by civil authorities on account of the violation.
- 6.7 The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every faculty member and employee of the System and its component institutions. Any faculty member or employee who violates the minimum standards of conduct required by any felony statute of Texas or the United States is subject to dismissal as a faculty member or employee, regardless of whether or not any action is taken against the faculty member or

employee by civil authorities on account of such violation. If action for dismissal is taken, the appropriate administrative official shall proceed with the action in the same manner as he would in the case of a violation by a faculty member or employee of any other provision of these rules and regulations or a provision of any Handbook of Operating Procedures.

- 6.8 In the event of decision not to reappoint a nontenured faculty member, written notice will be given him or her not later than March 1st of the first academic year of probationary service if the appointment expires at the end of that academic year, or not later than December 15th of the second academic year of probationary service if the appointment expires at the end of that academic year. After two or more academic years written notice shall be given not later than August 31st that the subsequent year will be the terminal academic year of appointment. The notice required by this Section is not applicable where termination of employment is for good cause under Section 6.3 above.
- 6.9 A faculty member serving a seven-year term appointment shall be given notice not later than August 31st of the sixth academic year of such appointment period that the subsequent academic year will be the terminal year of employment or that, subject to the approval of the Board, at the conclusion of the subsequent academic year he or she will be reappointed to a seven-year term appointment.
- 6.(10) Reappointment of nontenured members of the faculty to a succeeding academic year, reappointment of members of the faculty who are serving a seven-year term appointment to a succeeding seven-year term appointment, or the award of tenure or a seven-year term appointment, may be accomplished only by notice by the chief administrative officer of a component institution or his delegate with the approval of the Board. Notwithstanding any provisions of Section 6.23, 6.8 or 6.9 to the contrary, no person shall be deemed to have been reappointed or to have been awarded tenure or a seven-year appointment because notice is not given or received by the time prescribed in Sections 6.23, 6.8 or 6.9 or in the manner prescribed in Section 6.(11). Should it occur that no notice is received by the time prescribed in Sections 6.23, 6.8 or 6.9, it is the duty of the academic employee concerned to make inquiry to determine the decision of the chief administrative officer of a component institution, who shall without delay give the required notice to the academic employee.



- 6.(11) Each faculty member shall keep the chief administrative officer of the component institution or his delegate notified of his current mailing address. The written notice required by Sections 6.23, 6.8, or 6.9 shall be sent by certified mail, return receipt requested, to the last address given by the faculty member.
- 6.(12) Dismissal or demotion of classified or nonteaching personnel before the expiration of the stated period of appointment will be only for good cause shown, as determined by appropriate administrative officers to whom this responsibility is delegated by the chief administrative officer of the component institution and in case of such dismissal or demotion any appeal shall be reviewed by the chief administrative officer of the component institution.

Sec. 7. Rights and Responsibilities as a Citizen and as a Teacher.

- 7.1 The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties.
- 7.2 The teacher is entitled to freedom in the classroom in discussing his subject, but he is expected not to introduce into his teaching controversial matter which has no relation to his subject.
- 7.3 The University teacher is a citizen, a member of a learned profession, and an officer of an educational institution supported by the State. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a person of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make it plain that he is not an institutional spokesman. As a member of the staff of a State institution of higher education, he should refrain from involving the System or any of its component institutions in partisan politics.
- 7.4 The Board of the System recognizes and affirms the right of a member of the faculty or staff to participate in political activities so long as such political activities do not interfere with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions and so

long as such political activities do not involve the System or its component institutions in partisan politics (See Section 7.3). With the interest of the System or its component institutions being given first consideration, a leave of absence without pay may--but need not--be granted to a member of the faculty or staff (See Section 16). However, it would be inappropriate for a leave of absence without pay to be granted primarily to permit a member of the faculty or staff of the System or its component institutions to participate in political activity, including, but not limited to, being a candidate for political office, holding a political office, or directing the political campaign of another person seeking a political office. Therefore, if a member of the faculty or staff wishes to engage in political activity that interferes with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions, he should voluntarily terminate his employment by the institution. On the other hand, if the faculty or staff member does not voluntarily terminate his employment by the institution and if the faculty or staff member's superior officer, such as the institutional head, the Chancellor, or the Board, finds that the faculty or staff member's political activity does in fact interfere with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions, the institutional head, the Chancellor, or the Board shall terminate his employment by the institution.

Sec. 8. The Greater Duties of a Member of the Teaching Staff.

- 8.1 Common practice has fixed the greater duties of a member of the teaching staff so clearly that many institutions do not even list them among their regulations. They are:
  - 8.11 Teaching in the classroom, laboratory, seminar, or ward.
  - 8.12 Studying, investigating, discovering, and creating.
  - 8.13 Performing curricular tasks auxiliary to teaching and research, e. g. , serving on faculty committees, attending to administrative and disciplinary tasks, promoting diligence and honest work in the student body.
  - 8.14 Influencing beneficially students and citizens in various extracurricular ways.
- 8.2 Performance as a teacher, as a scholar, as an administrator, and as an individual is valued greatly by any university, for in these four ways its work is chiefly done.

- 8.3 A state university being a public enterprise of maximum social importance, it is the duty of all persons connected with it to be as civic-minded as possible. It is also a duty to cooperate with the Board in carrying out the purposes and policies of the Board which are deliberately considered, usually by both the Board and the several faculties, in accordance with law and designed to attain the best educational results with the resources available. The Regents and all administrative officers are entitled to the cheerful acquiescence of all staffs in carrying out the policies duly adopted. At the same time, administrative officers are expected to listen with an open and appreciative mind to criticisms and suggestions coming to them from members of their staffs.

Sec. 9. Acquaintance with, Conformity to, Availability and Improvement of Regulations.

- 9.1 It is a specific and important duty of each member of the several teaching staffs to become acquainted with and to conform to all the rules and regulations relating to him and to the proper and orderly discharge of his work that are to be found set forth in both these Regents' Rules and Regulations and the institutional Handbook of Operating Procedures; in catalogues, announcements of courses, and other official publications; in printed or other material regularly prepared for the use of the staff; and in minutes of the faculties. To this end, copies of the Regents' Rules and Regulations, Part One, and the official institutional Handbook of Operating Procedures shall be reproduced by the chief administrative officer and distributed and located on his campus as considered appropriate by the chief administrative officer. The chief administrative officer shall have one copy of the Rules and Regulations and the institutional Handbook of Operating Procedures available at an appropriate location in his office for ready reference. In addition, he shall distribute a copy of these two documents to the secretary to the faculty or representative faculty body at his institution. The official, current copy of the Regents' Rules and Regulations is maintained by the Secretary to the Board.
- 9.2 It is also the specific duty of each member of the teaching staffs to consider the regulations and the routines in conforming to them and to propose what seem to be desirable changes in these regulations and routines to the appropriate faculty or official.

**Sec. 10. Communications, Appeals, and Hearings.**

- 10.1 Every member of a teaching staff has the right to propose changes in policies and procedures and to present arguments in support thereof.
  - 10.11 Proposals should originate and follow routines as prescribed elsewhere in the Regents' Rules and Regulations or in the institutional supplements.
  - 10.12 When a proposal has been approved or amended by the appropriate institutional officials, faculties, and head of the component institution, it shall then go to the Chancellor for recommendation to the Board if such action is required.
  - 10.13 When a proposal has been approved or amended or rejected by the appropriate institutional officials, faculties, and the component institutional head, any member or group of members of the staff may present an appeal in opposition to the action of the majority or in opposition to the recommendation of the institutional official or the component institutional head, and this appeal, accompanied by reasons for and against the proposal, shall go through the prescribed administrative channels and shall be presented to the Chancellor and thence to the Board for final action. The deans and other institutional officials, the component institutional head, the Chancellor and the Board may invite both sides for personal conferences and discussions.
  - 10.14 An authorized routine for proposals, with the right of appeal, having been herein fixed, it follows that proposals shall always be made in accordance therewith.
- 10.2 Every voting member of any faculty has the right and the duty to propose changes and to participate in debate in faculty meetings.
- 10.3 Appeals of classified (nonteaching) employees concerning conditions of employment must be made in keeping with the rules governing such employees.

**Sec. 11. Communication with the Legislature and Other State Agencies or Officials.** -- The Board is the only proper channel through which recommendations concerning the administration of the System, as a whole or in any of its parts, should reach the Legislature or other State agencies or officials.

**Sec. 12. Office Hours.** -- Members of the teaching staffs are expected to post on their office doors, and publish in any other manner required by the institutional head, office hours and conference periods most advantageous to students.

Sec. 13. Outside Employment.

- 13.1 Members of the faculty or staff of component institutions should not be discouraged from accepting appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions. The consideration to the System of such activity is the improvement of the individual by virtue of his continuing contact with nonacademic problems in the nonacademic world.
- 13.2 Members of the faculty or staff should be discouraged from accepting regular employment with units outside the System because this action would be divisive of loyalties and does not provide the return to the institutions indicated in 13.1.
- 13.3 Conflict of interest should be avoided in all instances of outside employment, but conflict of interest in an academic institution means outside activity which intrudes upon the academic functions of teaching, scholarly activities, and service to the institution.
- 13.4 Even in the case of members of the staff specifically engaged only in residence work, there exists an obligation, usually intermittent, to furnish expert knowledge and counsel for public benefit free of charge, provided that the meeting of this obligation by a faculty or staff member does not interfere with his regular duties, and provided further that in meeting this obligation a faculty or staff member on full-time duty shall avoid undue competition with legitimate private agencies.
- 13.5 No member of the faculty or staff engaged in outside remunerative activities shall use in connection therewith the official stationery of the System or any of its component institutions, or give as a business address any building or department of the institution.
- 13.6 No member of the faculty or staff shall accept employment or any position of responsibility if the discharge of such employment or responsibility will be antagonistic to the interests of the State of Texas or the System or any of its component institutions.
- 13.7 Every member of the faculty or staff who gives professional opinions must protect the System and its component institutions against the use of such opinions for advertising purposes. That is, when he does work in a private capacity, he must make it clear to those who employ him that his work is unofficial and that the name of the System and its component institutions is

not in any way to be connected with his name, exceptions being made of the name of the author attached to books, pamphlets, and articles in periodicals.

- 13.8 No member of the faculty or staff shall accept pay from private persons or corporations for tests, assays, chemical analyses, bacteriological examinations, or other such work of a routine character, which involve the use of property owned by the System or its component institutions, unless advance permission has been obtained from the institutional head and provision has been made for compensation to the System or its component institutions.
- 13.9 No member of the full-time staff of the System on a twelve-month or nine-month basis shall be employed in any outside work or activity or receive from an outside source a regular retainer fee or salary until a description of the nature and extent of the employment has been filed with and approved by appropriate administrative officials as set forth in the institutional Handbook of Operating Procedures of each component institution. For special provisions relating to other state or federal employment, see Subsections 13.(10), 13.(11), and 13.(12) of this Section.
- 13.(10) Subject to the other provisions of this section, a member of the faculty or staff may hold other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States if his holding the other offices or positions is of benefit to the State of Texas or is required by state or federal law, and if there is no conflict between his holding the office or position and his holding the original office or position for which the member of the faculty or staff receives salary or compensation.
- 13.(11) Before a member of the faculty or staff may accept an offer to serve in other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States, the member of the faculty or staff must obtain from the appropriate administrative officials and the Board a finding that the requirements of this section have been fulfilled, including the expected additional compensation to be received from such service. The finding of the Board shall be recorded in the official minutes of the meeting of the Board at which approval was granted.
- 13.(12) The institutional head must keep a record of compensation received from additional state or federal employment, or both, including specifically: salary, bonuses, and per diem or other type of compensation.

Sec. 14. Holidays.

14.1 All faculty, classified and other nonteaching personnel are entitled to such holidays as are provided by the Legislature in the then current appropriation bill and as are approved annually by the Chancellor and the Board, or alternate holidays approved in the official calendars of the various institutions by the Chancellor and the Board. (See the Classified Personnel rules in the institutional Handbook of Operating Procedures.)

Sec. 15. Vacation.

15.1 Vacations for faculty, classified and other nonteaching personnel shall be as provided by the Legislature in the then current appropriation bill and as approved by the Board, except that vacation accumulated by faculty on nine-month appointments shall be counted as having been taken during periods when classes are not in session within the appointment period. Vacations for hourly and part-time employees shall be on a percentage basis for the time appointed. (See the Classified Personnel rules in the institutional Handbook of Operating Procedures.)

15.2 An employee who resigns, is dismissed, or separates from University employment shall be entitled to be paid in "lump sum" for all vacation leave entitlement duly accrued at the date of termination provided the employee has had continuous employment with the State for six months. The payment shall be calculated at the rate of compensation being paid the employee at the time of termination.

15.3 In the case of death of an employee who has accumulated vacation leave, his estate will be paid for all accumulated vacation leave. The payment shall be calculated at a rate of compensation being paid the employee at the time of his death.

Sec. 16. Leaves of Absence without Pay.

16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff.

16.2 The maximum unit period for which a leave of absence will be granted is the end of the fiscal or academic year in which the leave begins. In normal times, leaves for one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements.

- 16.3 A second consecutive year of leave should not be requested except for military service, reasons of health, or continued graduate study. This provision will be interpreted liberally in the case of junior staff members working on advanced degrees.
- 16.4 Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted.
- 16.5 After a return to active duty of one year or more, the leave-of-absence privilege will again be available.
- 16.6 The granting of a leave of absence does not affect in any way the tenure position of the grantee.
- 16.7 For leave of absence to participate in a political campaign see Part One, Chapter III, Sec. 7.4.

Sec. 17. Faculty Development Leaves. -- Faculty development leaves for faculty members may be granted as set out in House Bill 669, 60th Legislature, Regular Session, 1967. This bill provides that after two consecutive academic years at the same institution faculty members as defined in this Act may be considered for a faculty development leave for one academic year at one-half his regular salary or for one-half academic year at his full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.

Sec. 18. Division of Salaries for Staff Engaged in Teaching and Nonteaching Activities. -- Each component institution shall develop policies covering budgetary division of salaries for individuals whose employment is divided between teaching and nonteaching assignments subject to current statutory requirements or limitations. These policies shall be set forth in the institutional supplements.

Sec. 19. Sick Leave.

- 19.1 Sick leave for all employees, including faculty, nonteaching personnel, and classified personnel shall be governed by the General Appropriations Act or other applicable Statutes.
- 19.2 In cases where illness incapacitates a member of an institutional or professional staff, arrangements for carrying on his usual duties must be made through appropriate administrative channels with the chief administrative officer of the institution.



19.3 In the case of death of an employee who has accumulated sick leave, the estate will be paid for the accumulated sick leave as permitted by law. The payment shall be calculated at the rate of compensation being paid the employee at the time of death.

Sec. 20. Leave for Jury Duty. --Necessary time off for jury duty is allowed without loss of pay or vacation leave.

Sec. 21. Absence from Usual and Regular Duties.

21.1 Authorization for any member of a faculty or staff to be absent from his usual and regular duties will be granted only under the following conditions:

21.11 When such absence is on State business, and

21.12 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution; or

21.13 In the case of military leave, not to exceed 15 working days each year.

21.2 Permission to be absent from usual and regular duties shall be obtained as prescribed in the Fiscal Rules (See Part Two hereof).

Sec. 22. Authorization to Travel.

22.1 Authorization to travel will be granted only under the conditions specified in the Fiscal Rules (See Part Two hereof).

22.2 A faculty or staff member whose usual duties do not require travel shall not absent himself from his regular place of work and his usual duties except with permission obtained according to the Fiscal Rules (See Part Two hereof).

Sec. 23. Compensation for Correspondence and Extension Teaching of Full-Time Staff Members. --Compensation rates for correspondence courses and extension center teaching for full-time teachers on a nine months' basis or for other employees on a twelve months' basis shall be in accord with rates fixed by the then current appropriation bill. If not so fixed, they shall be set from year to year by the institutional head with the approval of the Chancellor.

Sec. 24. Textbooks and Other Materials Prescribed for the Use of Students.

24.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:

24.11 Although generally the individual instructor or the department should have wide discretion in the choice of materials

to be used in the courses offered by the department, frequent changes in the textbooks prescribed should be discouraged and should be made only for cogent reasons.

24.12 Although the authorship of books, outlines, manuals and similar materials by members of the staff should be encouraged, the prescribed use of these for students is a responsibility that goes beyond that of the individual author. Where practicable and equitable, the charge for outlines, syllabi, and similar materials prescribed for the use of students should be borne by the instructional department concerned. Whenever a charge is authorized for such mimeographed or similarly processed materials, the prices should be as low as possible, consistent with the payment of a fair and reasonable royalty to the author or authors.

24.2 To carry out this statement of policy the following procedures are prescribed:

24.21 Any proposed change in the textbook of any course, within one year from the date of first adoption, shall be approved by the departmental faculty having jurisdiction, and a statement of the authorization with reasons therefor shall be transmitted by the chairman of the department through the dean to the institutional head.

24.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until such books, notes, manuals, or materials shall have been approved, with reasons stated, by the departmental faculty, the dean or deans concerned, and transmitted to the institutional head for approval and inclusion in the next regular docket. All such requests shall indicate the proposed prices and profits, and their authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.

Sec. 25. Sectarian Courses Prohibited. --No course of instruction of a sectarian character shall be taught in the System or any of its component institutions. (Article 2604, Vernon's Civil Statutes)

Sec. 26. Acceptance of Money from Students.

26.1 Members of teaching staffs, without previous and special approval of the Board, shall not collect from students any fees or charges to be expended for institutional purposes, and shall not sell to students books, notes, or similar student supplies.

- 26.2 A member of the faculty or staff of the rank of instructor or above may not accept pay for extra instruction or teaching of students registered in the institution where he is employed.
- 26.3 With written approval, teaching assistants, assistants, and other like instructional employees below the rank of an instructor, may accept pay from students for extra-class instruction or coaching but only in courses or sections of courses with which they have no instructional connection. The Handbook of Operating Procedures of the component institution shall specify the procedure for approval at the institutional level.

Sec. 27. Power to Authorize Expenditures out of System Funds.

- 27.1 No expenditure out of funds under control of the Board shall be made and no debt or obligation shall be incurred and no promise shall be made in the name of the System or any of its component institutions or of the Board by any member of the respective staffs of the System or any of its component institutions except:
- 27.11 In accordance with general or special budgetary appropriations authorized in advance by the Board and entered in its minutes; or
- 27.12 In accordance with authority specifically vested by the Board in a committee of the Board; or
- 27.13 In accordance with authority to act for the Board when it is not in session, specifically vested in some University officer by these Rules and Regulations or by special action of the Board.
- 27.2 It shall be the duty of the several institutional officers to see that all claims for payments of items not authorized as indicated above are refused and returned unpaid.
- 27.3 There shall be no sale to or purchase from the System or its component institutions by any employee thereof unless same has been duly authorized by the Board and the details relating thereto have been entered in its minutes.

Sec. 28. Indebtedness to the System or the State. --Neither salary payments nor any other payments shall be made to an employee, his agent or assignee, who is indebted to the System, any of its component institutions, or to the State until such debt is paid.

Sec. 29. Power to Bind the System in Fixing its Policies. --No employee of the System or any of its component institutions, as an individual or as a member of any association or agency, has the power to in anywise bind the System or any of its component institutions unless such power has

been officially conferred in advance by the Board. Any action which attempts to change the policies or otherwise bind the System or any of its component institutions, taken by any individual or any association or agency, shall be of no effect whatsoever until the proposed action has been approved by the institutional head concerned, if any, and the Chancellor, and ratified by the Board.

Sec. 30. Institutional Employees as Students. -- The Handbook of Operating Procedures for each of the component teaching institutions shall express the institutional policy as to the amount of course work full-time and part-time employees shall be permitted to carry.

Sec. 31. Retirement and Modified Service.

- 31.1 No officer, administrator, faculty member, or employee of The University of Texas System or of any component institution or agency thereof shall be continued in a full-time service capacity or at a full-time compensation rate beyond the end of the fiscal year that includes his or her seventieth birthday.
- 31.2 The Board of Regents, upon the recommendation of the Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint an officer, administrator, faculty member, or employee to modified service after the end of the fiscal year that includes the person's seventieth birthday.
- 31.3 Recommendation for, and appointment to, modified service shall be made only after a review of the individual's past and current performance and a finding that the individual is not only competent to continue his or her duties, but that the continued service of the individual will result in a significant benefit to the System or a particular component institution.
- 31.4 Appointment to modified service shall be for one academic year and may be renewed for successive terms of one academic year after an annual review, recommendation, and finding as set forth in Subsection 31.3. The notice provisions of Section 6.8 of this Chapter shall not apply to nonrenewal of such appointments.
- 31.5 The workload of an individual on modified service shall be no more than one-half of his or her workload immediately preceding appointment to modified service. Salary rate shall be in the same proportion of his or her salary rate for the fiscal year immediately preceding appointment to modified service as his or

her workload is to a full-time workload and shall be subject to adjustment in accordance with policies and procedures applicable to other employees.

31.6 Upon recommendation of the Chancellor and, when appropriate, the chief administrative officer of the affected component institution, the Board of Regents may, by unanimous vote of the members present, make exceptions to this Section in special cases when the Board finds that the services of a particular individual will be of unique benefit to the System or a component institution.

Sec. 32. Staff Benefits. -- For other staff benefits, see Part Two hereof.

## CHAPTER IV

### FACULTY ORGANIZATION

#### Sec. 1. Educational Policy.

- 1.1 The Board will devote its best efforts to making all of the institutions composing the System institutions of the "first class," as the Texas Constitution directs in Article VII, Section 10. The Board will be guided in general by the best practices of the best universities in the United States and abroad, especially by the best practices of state universities in the United States.
- 1.2 The Board will not, except in extraordinary cases, act on important matters of academic policy until it has received, or requested and obtained, advice thereupon from the institutional faculty or faculties affected or their legislative bodies. When new policies originating in any faculty give rise to serious differences of opinion in that body, the advice and recommended legislation shall, at the request of the minority, be accompanied by a record of the vote and by a summary of the reasons for and against the matters proposed.

#### Sec. 2. Institutional, College, School, and Departmental Faculties and Legislative Bodies.

- 2.1 General Authority.--Subject to the authority of the Board and subject further to the authority that the Board has vested in the various administrative officers and subdivisions of the System, the faculties of the component institutions regularly offering instruction shall have a major role in the governance of their respective institutions in the following areas:
  - 2.11 General academic policies and welfare.
  - 2.12 Student life and activities.
  - 2.13 Requirements of admission and graduation.
  - 2.14 Honors and scholastic performance generally.
  - 2.15 Approval of candidates for degrees.
  - 2.16 Faculty rules of procedure.
- 2.2 Necessity of Approval by Regents.--Legislation recommended by an institutional faculty, or legislative body thereof, requiring approval of the Board, shall not be effective unless and until approved by the Board. Such legislation by a college or school faculty shall not be presented to the Board until it has been approved by the institutional faculty, either directly or through its legislative body, and has received the consideration and

recommendation of the appropriate institutional head(s) and the Chancellor. The faculty affected will be notified by the Board, through administrative channels, of its action on recommended faculty legislation.

- 2.3 When Legislation is Effective. --Except where the Board has specifically authorized procedure for placing into effect emergency faculty legislation without prior Board approval, institutional faculty legislation shall become effective only upon approval by the Board or at such later time as the Board shall specify. The secretary of the institutional faculty shall be notified of Board action, and notice of such action shall be included in the official minutes of the faculty.
- 2.4 Approval of Degree Candidates. --It shall be the duty of the several institutional faculties to recommend approval or disapproval of all candidates for degrees. This duty may be delegated for any academic year by affirmative vote of the institutional faculty, or its legislative body, to the respective deans or other appropriate official. Should this duty not be delegated, then the institutional registrar, or his equivalent, shall furnish to the members of the institutional faculty a complete list of the degree candidates for recommendation.
- 2.5 List of Degree Candidates in Minutes. --The institutional registrar, as soon as possible after each commencement, shall provide the secretary of his institutional faculty, or its legislative body, with a complete list of all successful degree candidates, and the secretary shall insert the list in the minutes of the faculty.
- 2.6 Changes in Degree Requirements. --Changes in degree requirements shall not become effective until approved by the Board and published in the appropriate catalogue; provided, however, that students may be given the benefit of any action reducing or modifying the requirements for their degree immediately upon Board approval.
- 2.7 Faculty Minutes. --Copies of institutional faculty minutes, or of their legislative bodies, shall be available for use of members of the particular faculties individually, if desired; and shall be filed in the office of their secretaries, the institutional heads, the Chancellor, and the Secretary to the Board and in the institutional libraries.

## CHAPTER V

### GRADUATE EDUCATION IN THE UNIVERSITY OF TEXAS SYSTEM

- Sec. 1. The various component institutions of the System authorized to offer graduate degrees shall provide and maintain an appropriate faculty and administrative organization for such graduate degrees. The chief administrative officer of each component institution of the System shall be responsible to the Chancellor, and through him, to the Board for the policies and administration of the graduate programs.
- 1.1 "Graduate programs," as the term is used in these rules, does not include the programs that lead to the M.D., D.D.S., M.P.H., Dr. P.H., J.D., LL.M., and M.C.J. degrees, or others that may be excluded upon recommendation by the chief administrative officer of the component institution and concurrence by the Chancellor.
- Sec. 2. Within the general academic components, the designation "Graduate School" will be used if (a) there is a minimum of three distinct programs approved for doctoral degrees and thirty such doctoral degrees have been awarded; or (b) there is a minimum of ten distinct programs approved for master's degrees and fifty master's degrees have been awarded. In component institutions that do not meet these requirements, graduate study will be in a "Division of Graduate Studies."
- Sec. 3. Graduate programs in the health components shall be administered as follows:
- 3.1 In the Health Science Centers at Dallas, Houston, and San Antonio and at Galveston Medical Branch the graduate programs will be administered through a Graduate School of Biomedical Sciences.
- 3.2 In the Nursing Schools of component institutions, graduate education will be administered as specific graduate programs coordinated by an administrative officer designated by the chief administrative officer of the component institution.
- 3.3 In the System Cancer Center research and graduate instruction will be offered in cooperation with other components which are authorized to award graduate degrees.
- Sec. 4. Component institutions which offer graduate degrees and elect an administrative organization and designations different from those



authorized above may do so only upon the recommendation of the chief administrative officer, the concurrence of the Chancellor and the approval of the Board.

- Sec. 5. The policies and procedures for staffing and administering the graduate programs at all component institutions shall be set forth in the institutional Handbook of Operating Procedures. These policies and procedures shall include qualifications for faculty members assigned to teach graduate courses, supervise graduate programs, and advise graduate students.

Where two or more components of the System are authorized to conduct joint or cooperative degree programs, the chief administrative officers of the cooperating institutions shall be authorized to establish, subject to the approval of the Chancellor, special procedures and organizations for the administration of such programs.

## CHAPTER VI

### STUDENT SERVICES AND ACTIVITIES

#### Sec. 1. General Provisions.

- 1.1 These policies and regulations apply to all component institutions of the System and shall be implemented appropriately in the Handbook of Operating Procedures for each institution.
- 1.2 When the title, "Dean of Students," appears in this chapter, reference is made to the administrator bearing that title, or the officer or officers directly responsible for student affairs at each component institution.
- 1.3 All authority held and exercised by a Dean of Students is delegated to him by the institutional head just as all authority held and exercised by an institutional head is delegated to him by the Chancellor. Therefore, any action taken is subject to review by the institutional head and the Chancellor, and both the Chancellor and the institutional head may approve, amend, or disapprove such action, just as the Chancellor may approve, amend, or disapprove any action taken by the administrative head of any component institution.
- 1.4 Any individual student, group of students, or student organization may petition the Board on any matter relating to these policies and regulations through the Dean of Students, the institutional head, and the Chancellor.
- 1.5 These policies and regulations shall become effective on December 1, 1978 and shall, at that time, supersede all other policies and regulations that may be in conflict herewith.
- 1.6 Definition of Student. --A student is one who is currently enrolled at any of the component institutions of the System. These policies and regulations will also apply to any prospective or former student who has been accepted for admission or readmission to any component institution while he is on the campus of any component institution.
- 1.7 Definition of Campus. --The campus of a component institution is defined as all real property over which that institution has possession and control.

Sec. 2. The Dean of Students and His Staff.

- 2.1 The Dean of Students shall be the administrative officer primarily responsible for the development and administration of policies relating to students and for the development and implementation of services to students in the areas assigned to him. He shall have responsibility for the initial preparation of institutional regulations which will implement the policies and regulations set forth in this chapter.
- 2.2 The Dean of Students shall have primary responsibility for (1) the supervision and development of student out-of-class programs and activities and of all student organizations; (2) the development of policies affecting student life; (3) the promulgation and enforcement of institutional rules that govern student conduct; and (4) the administration of student discipline on the campus.
- 2.3 The administrative staff of the Dean of Students shall consist of the heads of services for which he has administrative responsibility.
- 2.4 The Dean of Students shall work with academic deans and department chairmen in structuring and implementing a program of faculty advising for both old and new students.
- 2.5 The Dean of Students shall be responsible for the preparation of the budgetary recommendations for the student services and activities under his jurisdiction.

Sec. 3. Student Conduct and Discipline.

- 3.1 The System and its component institutions have rules and regulations for the orderly and efficient conduct of their business, and each student is charged with notice and knowledge of the contents and provisions thereof.
- 3.2 All students are expected and required to obey the law, to show respect for properly constituted authority, and to observe correct standards of conduct.
  - 3.21 Gambling, immoral conduct, dishonesty, or the excessive use of intoxicating liquors renders the student subject to discipline.
  - 3.22 Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus of a component institution of the System is subject to discipline, including expulsion, pursuant to the procedures set out in Subsections 3.(10) and 3.(11) of this chapter.
- 3.3 (Reserved for future use)

- 3.4 The use of intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas; provided, however, that with the prior consent of the institutional head, the foregoing provisions of this section may be waived with respect to any specific affair which is sponsored by the institution. However, with respect to the possession and consumption of alcoholic beverages, state law will be strictly enforced at all times on all property controlled by the System and its component institutions.
- 3.5 No former student who has been suspended for disciplinary reasons from a component institution of the System shall be permitted on the campus of any component institution during the period of such suspension without the prior written approval of the chief administrative officer of that institution.
- 3.6 Hazing in state educational institutions is prohibited by state law (Section 4.19, Chapter 4, Title I, Texas Education Code). Hazing with or without the consent of a student is prohibited by the System, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline.
- 3.7 Initiations by organizations may include no feature which is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders the organization subject to discipline.
- 3.8 Any student who advocates or recommends, either orally or in writing, the conscious and deliberate violation of any federal, state or local law is subject to discipline.
- 3.9 Any student who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, or on any real property over which the System has possession and control, shall be subject to discipline, including expulsion. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.
- 3.(10) The Dean of Students shall have primary authority and responsibility for the administration of student discipline at his institution. It shall be his duty to investigate allegations that a student has violated the Regents' Rules and Regulations, the rules and regulations of the institution, or specific orders and instructions issued by an administrative official of the institution in the course

of his duties.

- 3.(10)1 If the Dean of Students determines that such allegations are not unfounded, he shall prepare a written statement of charges, a statement of the evidence supporting such charges, including a list of witnesses and brief summary of the testimony to be given by each, and shall send such charges and statement to the accused student by certified mail, return receipt requested, addressed to the address appearing in the registrar's records.
- 3.(10)2 In any case where the accused student does not dispute the facts upon which the charges are based and executes a written waiver of the hearing procedures specified in Subsection 3.(11), the Dean of Students shall assess the penalty appropriate to the charges and inform the student of such action in writing. The decision of the Dean of Students may be appealed as in the case of a decision rendered subsequent to a hearing in accordance with Subsection 3.(11).
- 3.(11) In those cases in which the accused student disputes the facts upon which the charges are based, such charges shall be heard and determined by a fair and impartial person, hereinafter called the Hearing Officer, selected in accordance with procedures adopted by the institution. Except in those cases where immediate interim disciplinary action has been taken under authority of Subsection 3.(18), the accused student shall be given at least ten (10) days' notice of the date, time, and place for such hearing and the name of the Hearing Officer. Hearings held under Subsection 3.(18) will be held under the same procedures set forth below, but will be held as soon as practicable within ten (10) days after the disciplinary action has been taken.

Upon a hearing of the charges, the institutional representative has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of the credible evidence. The hearing shall be conducted in accordance with procedures adopted by the institution and that assure both parties (institutional representative and the accused student) the following minimal rights:

- 3.(11)1 Both parties will exchange lists of witnesses and copies of documents to be introduced at a reasonable time prior to the hearing.
- 3.(11)2 Each party shall have the right to appear and present evidence in person or through a designated representative or counsel of choice.
- 3.(11)3 Each party, or his/her designated representative or counsel, shall have the right to cross-examine witnesses.
- 3.(11)4 The hearing will be recorded. If either party desires to

appeal the finding, the record will be transcribed and both parties will be furnished a copy of the transcript.

- 3.(12) The accused student may challenge the impartiality of the Hearing Officer at any time prior to the introduction of any evidence. The Hearing Officer shall be the sole judge of whether he or she can serve with fairness and objectivity. In the event the Hearing Officer disqualifies himself/herself, a substitute will be chosen in accordance with procedures adopted by the institution.
- 3.(13) The Hearing Officer shall render and send to both parties a written decision which shall contain findings of facts and conclusions as to the guilt or innocence of the accused student and shall assess a penalty or penalties in accordance with the published disciplinary penalties of the institution or in accordance with the following prescribed penalties:
  - 3.(13)1 Disciplinary probation.
  - 3.(13)2 Withholding of transcript or degree.
  - 3.(13)3 Bar against readmission.
  - 3.(13)4 Resitution or reimbursement for damage to or misappropriation of institutional property.
  - 3.(13)5 Suspension of rights and privileges, including participation in athletic or extracurricular activities.
  - 3.(13)6 Failing grade.
  - 3.(13)7 Denial of degree.
  - 3.(13)8 Suspension from the institution for a period of time not to exceed one calendar year.
  - 3.(13)9 Expulsion from the institution for a specific period of time not less than one year.
- 3.(14) Within fourteen (14) days after the decision has been mailed to the parties, either or both parties may give notice of appeal to the Chancellor through the chief administrative officer of the institution. The decision or decisions will be reviewed at each level of such appeal upon the basis of the transcript of the hearing. Both parties may, at the discretion of the chief administrative officer or the Chancellor, submit oral or written arguments to support their position. In order for the appeal to be considered, all the necessary documentation to be filed by the appealing party, including written arguments, when appropriate, must be filed with the chief administrative officer within twenty-one (21) days after notice of appeal is given.
- 3.(15) The chief administrative officer of the institution or the Chancellor may approve, reject, or modify the decision in question, or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. The

action of each reviewing authority shall be communicated in writing to the accused student and the Dean of Students. The decision of the Chancellor shall be the final appellate review.

3. (16) Through matriculation at an institution of the System, a student neither loses the rights nor escapes the responsibilities of citizenship. Students who violate the law may incur penalties prescribed by civil authority, but institutional penalties shall not be used merely to duplicate the penalties imposed by civil authority. However, when a student violation of the law occurs on the campus of a component institution or in connection with a component institution-oriented activity, institutional penalties may be imposed regardless of whether penalties have been imposed by civil authority for the same offense.
3. (17) Since the value of an academic degree depends on the absolute integrity of the work done by the student for that degree, it is imperative that a student maintain a high standard of individual honor in his scholastic work. Scholastic dishonesty is the submission as one's own work of material that is not one's own. As a general rule, it involves one of the following acts: cheating, plagiarism, and/or collusion. Each component institution will adopt detailed regulations concerning scholastic dishonesty.
3. (18) The Dean of Students, the chief administrative officer of the institution, or the Chancellor may take immediate interim disciplinary action, including suspension pending a hearing, against a student for violation of a rule and regulation of the System or of the institution at which the accused is a student when the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the academic process.
3. (19) Each component institution shall maintain for every student who has been charged with dishonesty or other serious misconduct at such institution, a permanent written disciplinary record that shall reflect the nature of the charge, the disposition of the charge, the penalty assessed, if any, and any other pertinent information. This disciplinary record shall be separate from the student's academic record and shall be treated as confidential, and the contents shall not be revealed except upon request of the student or in accordance with applicable state or federal laws.
3. (20) Every student is expected to obey all federal, state, and local laws and is expected to familiarize himself/herself with the requirements of such laws. Any student who violates any provision of those laws is subject to disciplinary action, including expulsion, notwithstanding any action taken by civil authorities on account of the violation.

3. (21) Pursuant to the authority conferred upon the Board of the System by Sections 51.202 and 51.204, Texas Education Code, and in order to protect the safety and welfare of students and employees of the component institutions of the System and to protect the property of the System, it is hereby declared that it shall be unlawful for any person to enter, walk, run, lie, play, remain, or be in the water of any fountain or other artificial body of water located on the campus of any component institution of the System unless such person shall have theretofore been granted permission by the administrative head of that institution to enter, remain, or be in such water.

It shall further be unlawful for any person to dump, throw, place, or cause to be placed any material, object, trash, waste, or debris in the water of any fountain or other artificial body of water located on the campus of any component institution of the System.

It shall also be unlawful for any person to damage, deface, or remove any portion of any fountain, monument, or memorial located on the campus of any component institution of the System.

Any person who violates any portion of this regulation shall upon conviction thereof be punished by a fine of not more than \$200.

Any student of a component institution who violates any portion of this regulation shall, in addition to the penalty prescribed in the last preceding section, be subject to discipline, including expulsion, by the institution.

3. (22) The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every student attending any component institution of the System. Any student who violates such standards of conduct is subject to discipline by the Dean of Students, regardless of whether or not any action is taken against the student by civil authorities on account of such violation. If disciplinary action is taken, the Dean of Students shall proceed with action in the same manner as he would in the case of a violation of any other provision of these rules and regulations or a provision of any Handbook of Operating Procedures.

#### Sec. 4. Student Organizations.

4.1 An organization in which membership is limited to students (recognizing that faculty and staff may also be members) of



a component institution may become a registered student organization at that institution by complying with the registration procedures established by the Dean of Students.

- 4.2 The Dean of Students, with the approval of the institutional head, may establish regulations requiring faculty or staff advisers for registered student organizations.
- 4.3 A registered student organization may state that its membership is composed of students, or of students, faculty, and/or staff, of a component institution, but it shall not suggest or imply that it is acting with the authority or as an agency of that institution.
- 4.4 The Dean of Students, with the approval of the institutional head, may issue regulations governing the eligibility of students for participation in organized activities.
- 4.5 At each component institution, an appropriate committee or committees shall have initial jurisdiction over all registered student organizations.
- 4.6 Any student organization is subject to disciplinary action or revocation of registration as a student organization for violation of a rule or regulation of the System and/or of the institution at which the organization is registered.
- 4.7 The administrative head of each component institution of the System shall require and enforce the following:
  - 4.71 As a condition to being a registered student organization or group during a semester, every registered student organization or group shall furnish to the appropriate institutional officer at the beginning of each such semester a complete list of officers or other members of the organization or group who are authorized to speak for or represent the organization or group in its relations with the institution and who are authorized to receive for the organization or group official notices, directives, or information from the institution. Each such list shall be kept current and accurate throughout the semester by the organization or group, and it shall be conclusively presumed that the officers or members whose names are on the list most recently filed by the organization or group are authorized to speak for and represent the organization or group in its relations with the institution and are authorized to receive for the organization or group official notices, directives, or information from the institution.

- 4.72 No registered student organization or group may have any person as a member who is not either a student or a member of the faculty or staff of the institution. Except pursuant to the provisions of Section 6.5 of this chapter, no organization or group, whether registered or not, may use any facility of any component institution of the System if it has as a member any person who is not either a student or a member of the faculty or staff of the institution.
- 4.73 At the beginning of each semester, each registered student organization or group must file with the appropriate institutional officer an affidavit stating that the organization or group does not, and will not during the semester, have as a member any person who is not either a student or a member of the faculty or staff of the institution. If an organization or group fails or refuses to file the required affidavit, or if, after such reasonable investigation as the institutional head shall deem appropriate (which investigation shall afford the accused registered organization or group every right guaranteed to it by the due process clauses of the United States and Texas Constitutions), the institutional head shall during the semester find that the affidavit is or has become false, and that the organization or group does, in fact, have as a member a person who is not either a student or a member of the faculty or staff of the institution, the institutional head shall immediately cancel the registered status of the organization or group and shall deny to the organization or group any and all privileges to which it would otherwise be entitled as a registered student organization or group.
- 4.74 No organization or group, whether registered or not, may use the facilities of any component institution as long as it owes a monetary debt to the institution and the debt is considered delinquent by the crediting institutional agency.
- 4.8 No component institution shall register any student organization or group whose actions or activities, in the opinion of the institutional head or the Chancellor, are inimical to the educational purpose and work of the institution.
- 4.9 A registered student organization whose registered status has been cancelled by the institutional head pursuant to Subsection 6.13 of Section 6 of this chapter or Subsection 4.73 of Section 4 of this chapter may apply for re-registration not less than six months following the date of such cancellation.

Sec. 5. Participation in Student Government.

- 5.1 Students' Associations. --Students' associations currently authorized at the component institutions of the System are hereby approved. They shall have such jurisdictions and shall exercise such powers as the Board may now or hereafter delegate to them.
- 5.11 Constitutions and Laws Approved. --The constitutions and laws of the several associations in force at the date of adoption of these Rules and Regulations are hereby approved.
- 5.12 Mode of Amending Constitutions and Laws. --An amendment to the constitution or laws of a students' association may be adopted by an association, in accordance with its constitution and laws, but the change shall not become effective until transmitted to and acted upon by the Dean of Students, the institutional head, and the Chancellor and approved by the Board.
- 5.13 Amendment or Repeal by Regents. --The Board shall amend or repeal any portion of the constitution and laws of a students' association when, in the judgment of the Board, the interests of the particular institution shall require it.
- 5.14 Amendment or Repeal by Dean of Students. --The Dean of Students shall have the power, when in his judgment the interests of the institution require it, to amend or repeal any provision in the constitution or laws of the particular association, but his action shall be in force only until the next meeting of the Board when Section 5.13, above, shall become applicable.
- 5.15 Salaried Employees Approved by Regents. --All persons officially employed on salary by or under the direct supervision of a students' association shall be subject to approval by the Dean of Students, the institutional head, the Chancellor, and the Board, both as to salary and as to qualifications.
- 5.16 Annual Financial Reports. --Every officially recognized students' association shall make annually a complete financial report to the institutional business officer, and shall make such special reports as may be called for by such business officer. A duplicate copy of each report shall be filed with the Dean of Students. Committees and administrative units of a students' association maintaining a budget in excess of \$25.00 per annum shall make such interim reports of financial condition as may be required by the Dean of Students.

- 5.2 The students' association on each campus shall be a recognized forum of student opinion.
- 5.21 When a students' association takes a position with reference to issues directly related to a component institution and its operations, its recommendations shall go through the Dean of Students, the institutional head, and the Chancellor to the Board.
- 5.22 When a students' association takes a position on non-University issues, it shall make clear the fact that it does not speak for the institution.
- 5.23 A students' association may conduct polls, initiate petitions, and/or establish forums for debate or discussion under conditions approved by the Dean of Students.
- 5.24 Officers of a students' association may so identify themselves when they express their personal views, but they shall then make it clear that they are not speaking for the institution, or for the student body, and they shall make it clear they are not speaking for the students' association unless the legislative body of that association has authorized the statement in advance.

Sec. 6. Use of University-Owned Facilities.

- 6.1 The campuses of the component institutions of The University of Texas System are not open for assembly and expression of free speech as are the public streets, sidewalks and parks. The responsibility of the Board of Regents to operate and maintain an effective and efficient system of institutions of higher education requires that the time, place, and manner of the exercise of the right of assembly and free speech on the grounds and in the buildings and facilities of the various component institutions be regulated. Acting pursuant to the general authority of Chapter 65 of the Texas Education Code and the specific authority of Subchapter E, of Chapter 51 of the Texas Education Code, the Board of Regents adopts and promulgates the Rules and Regulations of this Section and this Chapter relating to the use of institutional buildings, grounds and other facilities for purposes other than regular academic use. No individual, organization, group, association, or corporation may use the grounds, buildings, or facilities of any component institution of The University of Texas System except as permitted by the provisions of the Rules and Regulations of the Board of Regents and the rules and regulations of the component institutions approved in accordance with such Regents' Rules and Regulations.

6.11 The term "solicitation" as used herein means the sale or offer for sale of any property or service, whether for immediate or future delivery; the receipt of or

request for any gift or contribution; and the request that a vote be cast for or against a candidate, issue, or proposition appearing on the ballot at any election held pursuant to state or federal law.

6. 12

No solicitation shall be conducted in any building, structure, or facility of any component institution of the System, provided, however, that the following activities shall be deemed not to be solicitations prohibited by this subsection if they are conducted in a manner that will not disturb or interfere with the academic or institutional programs being carried on in a building, structure or facility, or do not interfere with entry to or exit from a building, structure or facility:

(1) The sale or offer for sale of any newspaper, magazine, or other publications by means of a vending machine in an area designated in advance by the institutional head or his delegate for the conduct of such activity.

(2) The sale or offer for sale of any food or drink item by means of a vending machine operated by the institution or its subcontractor in an area designated in advance by the institutional head or his delegate for the conduct of such activity.

(3) The sale or offer for sale of any publication of the institution or of any book or other printed material to be used in the regular academic work of the institution.

(4) The operation by the institution or its subcontractor of any bookstore, specialty store, laundry, cafeteria, or other service facility maintained for the convenience of the students, staff and/or faculty.

(5) The sale or offer for sale by the institution or its subcontractor of food and drink items and programs at athletic contests or at any other program or event sponsored or authorized by the institution.

(6) The collection of tuition and fees in connection with enrollment of a student in any course or degree program.

(7) The collection of membership fees or dues by registered student, faculty, or staff organizations at meetings of such organizations scheduled in accordance with the facilities use regulations of any component institution.

(8) The collection of admission fees for the exhibition of movies or other programs that are sponsored by the component institution, a recognized faculty group, or a registered student organization, and are scheduled in accordance with the facilities use regulations of the component institution.

(9) The activities of any organization that can present to the institutional head, or his delegate, written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under 26 U.S.C.A. 501(c)(3) (Internal Revenue Code).

6.121 No organization may solicit under Subdivision (9) of this subsection for more than a total of fourteen days, whether continuous or intermittent, during each state fiscal year.

6.13 No solicitation shall be conducted on the grounds, sidewalks, or streets on the campus of any component institution of the System, except by the agents, servants, or employees of that institution acting in the course and scope of their agency or employment, or by the students' association of that institution, or by a registered student, faculty, or staff organization at that institution.

(1) Solicitation made pursuant to the terms of Subsection 6.13 must be conducted in such a way (a) that it will not disturb or interfere with the academic or institutional programs being carried on in campus buildings, (b) that it will not interfere with the free and unimpeded flow of pedestrian and vehicular traffic on sidewalks and streets and at places of ingress and egress to and from campus buildings, and (c) that it will not harass, embarrass, or intimidate the person or persons being solicited. If, after such reasonable investigation as the institutional head shall deem appropriate (which investigation shall afford the accused organization every right guaranteed by the due process clauses of the United States and Texas Constitutions) the institutional head determines that a solicitation is being conducted in a manner violative of this subsection, the institutional head shall prohibit the offending organization from solicitation on the campus for such period or periods of time as he shall determine to be appropriate and in the case of repeated violations of these solicitation rules, the institutional head may cancel the registered status of the offending organization.

(2) The students' association and each registered student organization shall, within 30 days following the end of each academic semester or summer session, file with the institutional head or his delegate a sworn statement fully and fairly disclosing the sources and amounts of money which

it obtained from solicitations (sales and contributions) on the campus during the preceding semester or summer session and fully and fairly disclosing the beneficiaries and amounts of the expenditures which it made during the preceding semester or summer session. A registered student organization which during a semester or summer session receives no money or thing of value other than from its own members need file only a sworn statement to that effect. Any organization failing to comply with the provisions of this paragraph shall be prohibited from solicitation on the campus until such organization places itself in compliance.

- 6.14 Use of Physical Facilities of the System by Registered Student, Faculty or Staff Organizations.--Registered student, faculty or staff organizations may use an institution's buildings and/or grounds in compliance with reasonable and nondiscriminatory institutional regulations that shall specify the procedures under which such organizations may reserve the institution's buildings and/or grounds for their use. Groups of students, faculty or staff who are not registered may not use the institution's buildings and/or grounds. Registered student, faculty or staff organizations may not enter into joint sponsorship of any on-campus project or program with individuals, groups, or students that are not registered.
- 6.15 Reasonable and nondiscriminatory regulations may be promulgated to authorize students and registered student organizations, under specified conditions, to petition, post signs, set up booths, and/or peacefully demonstrate on the campus. Such regulations shall prohibit any activity that would interfere with academic and institutional programs.
- 6.16 No person, whether or not a student or employee of a component institution, shall publicly distribute on the campus of any such institution any petition, handbill, or piece of literature that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law.
- 6.17 No person, whether or not a student or employee of a component institution, shall post or carry any sign or poster that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law.
- 6.18 No person, whether or not a student or employee of a component institution, shall install, occupy, or use on the campus of any such institution any booth, if the use

of the booth is wholly or partly for the distribution or dissemination of words or material that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law. For the purpose of this provision, the word "booth" includes furniture, enclosure, and any other structure temporarily installed for distributing petitions, handbills, or literature, or for displaying signs, or for raising funds or soliciting tangible items.

- 6.2 The use of student center or student union facilities on the campus of each component institution shall be subject to reasonable and nondiscriminatory regulations as may be promulgated by that center's governing board and approved by the Dean of Students and the institutional head.
- 6.3 Extracurricular student, faculty or staff activities involving the use of System-owned buildings and grounds shall be conducted in accordance with local, state and national law and in accordance with the applicable System and institutional regulations. Such activities shall not disrupt or disturb the academic and institutional program and shall not result in damage to or defacement of property.
- 6.4 Identification Required.
- (a) Pursuant to the authority conferred upon the Board of the System by Chapter 80, Acts of the 60th Legislature, Regular Session, 1967 (Section 51.209, Texas Education Code), and in order to protect the safety and welfare of students and employees of the component institutions of the System, and to protect the property of the System, it is hereby declared that it shall be unlawful for any person on any property either owned or controlled by the System or any component institution to refuse to identify himself to an institutional representative in response to a request. For the purpose of this subsection, a person identifies himself by: (1) giving his name and complete address; and (2) by stating truthfully whether or not he is a student at the institution and whether or not he is an employee of the institution.
- (b) For the purpose of Subsection (a), an "institutional representative" is:
- (1) any member of the Board of the System;
  - (2) any administrative officer of the System, including the Chancellor, the Executive Assistant to the Chancellor, the Assistant Chancellor for Planning, the Executive Director for Development, the Vice Chancellor for Academic Affairs, the Vice Chancellor



for Administration, the Vice Chancellor for Business Affairs, the Vice Chancellor for Health Affairs, the Vice Chancellor for Lands Management and General Counsel, the Executive Director for Investments and Trusts, the Comptroller, the Director of Facilities Planning and Construction, the Budget Director, the Associate General Counsel, the Director of Police, the System Personnel Director, the Director for Special Services, and the Director of Accounting;

- (3) any administrative officer of the component institution, including the institutional head, any assistant to the institutional head, any vice president, any Dean of Students, and any associate or assistant dean of students; and
  - (4) any attorney, peace officer, or security officer of the System or the institution.
- (c) Any person who refuses to identify himself fully in accordance with Subsection (a) is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.
- (d) Any student who refuses to identify himself fully in accordance with Subsection (a) is, in addition to the penalty prescribed in Subsection (c), subject to discipline, including expulsion, by the institution.

6.5 Use of Grounds and Physical Facilities by Outside Groups, the System as a Joint Sponsor. -- Use of grounds and physical facilities of the System, especially auditoriums, gymnasiums, and large rooms, by outside individuals, groups or associations shall be subject to the following rules in which the "System" shall mean any component institution.

6.51 The System will not permit the unrestricted use by non-System groups of any of its facilities.

6.52 The System will not enter into joint sponsorship of any project or program that is to result in private gain for the cooperating individuals, group or associations.

6.53 The System, established as a public institution without regard to political affiliation or religious faith, cannot be a joint sponsor with any noncampus organization for political or sectarian gatherings. However, the appearance by or on behalf of a candidate for public office may be authorized under conditions prescribed by the Board in Section 7.2 of this Chapter.

6.54 Whenever non-System groups share in the use of System buildings, it must be upon the invitation of the System and under its joint sponsorship, and with the further understanding that all the conditions governing such sponsorship are to be set by the System.

- 6.55 The System, when entering into joint sponsorship of any program or activity, assumes full responsibility for all details and reserves the right to approve all copy for advertising, as well as news releases.
  - 6.56 The System will not enter into joint sponsorship of any program or activity in which the educational implications are not self-evident and which does not directly supplement the educational purposes of the System.
  - 6.57 It shall be understood that the availability of the System's facilities for functions other than the institution's own activities is strictly subject to the needs and the convenience of the System, which are always to have priority in the scheduling of facilities.
  - 6.58 In the case of programs for which the System is a joint sponsor with some other individual, group or organization, the fee to be paid by the co-sponsor will be a matter for negotiation in each case and will be specified in the agreement providing for the joint sponsorship.
- 6.6 Notwithstanding any other provisions of this chapter, the chief administrative officer of a component institution may designate specific facilities of a component institution, such as special events centers, conference centers, concert halls, theaters, or auditoria, as Special Use Facilities. The chief administrative officer shall cause to be prepared and submitted for approval, as a part of the Handbook of Operating Procedures of the institution, appropriate rules and regulations for the reservation and use of such designated Special Use Facilities. Such rules and regulations must restrict the reservation and use of such facilities in accordance with the following:
- 6.61 Designation as a Special Use Facility shall not constitute the facility as a public facility open to use by non-University persons, groups, associations, or corporations on a first come, first served basis.
  - 6.62 Priority in the reservation and use of Special Use Facilities shall be given to activities and events sponsored by the component institution that are in furtherance of and related to the educational, cultural, recreational, and athletic programs of the institution.
  - 6.63 As a lower priority, the institutional rules and regulations may provide for reservation and use of Special Use Facilities by non-University individuals, groups, associations or corporations, without the necessity of joint sponsorship by the institution. The institution shall establish rates to be charged for the use of the facility that will, at a

minimum, insure recovery of that part of the operating cost of the facility attributable directly or indirectly to such non-University use. If the non-University user charges those attending an event any admission or registration fee, or accepts donations from those in attendance, the institution shall require the user to make a complete account of all funds collected and of the actual cost of the event. If the funds collected exceed the actual cost of the event, the non-University user shall be required to remit such excess funds to the institution as an additional charge for the use of the Special Use Facility.

- 6.64 Subject to all constitutional and statutory provisions relating to the use of state property or funds for religious or political purposes, and subject to Subsection 6.63, above, Special Use Facilities may be made available for religious and political conferences or conventions. Religious organizations applying for use of a Special Use Facility must submit written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501 (c) (3) of Title 26 of the United States Code [Internal Revenue Code]. Political organizations applying for use of a Special Use Facility must present written evidence that the organization had candidates for either state, district, or local offices listed on the ballot at the last general election. A religious or political organization shall be permitted to use a Special Use Facility only one time during a calendar year.

## Sec. 7. Speech and Assembly.

- 7.1 Freedom of inquiry and discussion are basic and essential to intellectual development. However, these freedoms must be exercised in a manner that does not intrude upon or interfere with the academic programs and administrative processes of the System. Each component institution may designate one or more appropriate "free speech" areas on the campus where students may assemble and engage in free speech activities without prior administrative approval. In the absence of the designation of such "free speech" areas, all speech and assembly activities must be conducted in accordance with the provisions of this Chapter and the rules and regulations of the component institution.

- 7.11 Students, faculty or staff who are candidates for public office or who wish to campaign on behalf of a particular candidate or candidates may engage in conduct in behalf of such candidacy in the designated "free speech" areas or in accordance with the provisions of Section 7.2 of this Chapter relating to off-campus speakers.

- 7.2 Off-Campus Speakers. --The Board has and reserves the right to regulate the presentation of guest speakers on the campus who are unaffiliated with the System or any component institution thereof (hereafter referred to as off-campus speakers).
- 7.21 Only registered student organizations, faculty or staff organizations, System-owned dormitories, and Student Government may present off-campus speakers on the campus.
- 7.22 The organization sponsoring an off-campus speaker has the responsibility of making clear the fact that the organization, not the institution, is extending the invitation to speak and that any views the speaker may express are his own and not necessarily those of the System or of any component institution.
- 7.23 An off-campus speaker is subject to all provisions of the Texas Civil Statutes.
- 7.24 Registered student organizations, faculty or staff organizations, University-owned dormitories, and Student Government may be permitted the use of System-owned facilities to present off-campus speakers on campus pursuant to the facilities' use regulations promulgated by the component institution and subject to the requirement that each component institution must submit to the System Administration for approval as a part of its institutional Handbook of Operating Procedures a copy of all applicable facilities' use regulations, and no facilities' use regulation shall have any force or effect until it has been approved by the Chancellor and the Vice Chancellor for Lands Management and General Counsel.
- 7.25 An application for the use of any System-owned facility must be made to the chief administrative officer, or his delegate, at least forty-eight hours before the time the event is scheduled to take place.
- 7.26 No person shall be permitted on any campus of the System to advocate or recommend, either orally or in writing, the conscious and deliberate violation of any federal, state, or local law.
- 7.27 No off-campus speaker who is to be paid from state funds as consideration for his or her speech shall be permitted to speak on the campus of any component institution of the System unless the university facility in which the speech is to be delivered will be open to the public, including members of the news media, who will be entitled to record, videotape, or telecast live portions of the speech. The provisions of this subdivision do not apply to classes, seminars, symposia, and conferences intended for the use and benefit of students, faculty, staff, and invited guests. No person

may in any way obstruct or lessen in any way the opportunity for the audience to take the fullest advantage of the speech, including the opportunity to see and hear the speaker during the entire speech.

Sec. 8. Off-Campus Student Housing.

8.1 Off-Campus Student Housing. --The component institutions of the System will not extend Approved Housing status to any student residential units except those directly operated by the System. Each student at a component institution will have free choice in the selection of his non-University-operated residential accommodations, subject to parietal rules.

Sec. 9. University Policy in Regard to Debts of Students.

9.1 Neither the System nor any component institution is responsible for debts contracted by individual students or by student organizations. On the other hand, all students and student organizations are expected to conduct themselves honorably in all commercial transactions. Neither the System nor any component institution will assume the role of a collection agency except for monies owed to the System or one of its component institutions, nor will the System nor any of its component institutions adjudicate disputes between students and creditors over the existence or the amounts of debts.

9.2 In the event of nonpayment to the System or one of its component institutions, one or more of the following actions may be taken: (a) a bar against readmission for the student, (b) withholding of the student's grades and official transcript, (c) withholding of a degree to which the student otherwise would be entitled.

Sec. 10. Anonymous Publications.

10.1 Anonymous publications are prohibited. Any student publishing or aiding in publishing, or circulating or aiding in circulating, any anonymous publication will be subject to discipline.

Sec. 11. Negotiations Prohibited.

11.1 Neither the institutional head nor the Chancellor, nor any representative of either of them when dealing with disruptive activities, shall negotiate or attempt to negotiate with any person or persons engaged in any disruptive activity on the campus of any component institution of the System. When such a situation arises, the

institutional head or the Chancellor, or any representative of either of them, shall take immediate action to utilize all lawful measures to halt and eliminate any and all such disruptive activities that come to their attention.

Sec. 12. Other Regulations Concerning Student Affairs are Reported in the Rules and Regulations of the Board, as follows:

Fellowships, Scholarships, and Loan Funds - Part Two, Chapter I, Sec. 3, p. I-2.

Tuition and Other Fees - Part Two, Chapter I, Sec. 5, p. I-5.

Policy Against Discrimination - Part Two, Chapter I, Sec. 7, p. I-5.

Auxiliary Enterprises - Part Two, Chapter X, Sec. 1-7, p. X-1.

Student Publications at The University of Texas at Austin - Part Two, Chapter X, Sec. 8, p. X-2.

The Texas Union at The University of Texas at Austin - Part Two, Chapter X, Sec. 9, p. X-8.

Employment of a Students Attorney - Part Two, Chapter X, Sec. 11, p. X-13.

## CHAPTER VII

### THE SYSTEM PRIVATE-FUND DEVELOPMENT AND FOUNDATIONS

#### Sec. 1. The System Private-Fund Development.

##### 1.1 Responsibilities of the Board and Administrative Officials of the System in Private-Fund Development.

1.11 Among the most important responsibilities of the Board are those of establishing policies and procedures by which the developmental needs of the System and its component institutions can be determined and of directing vigorous efforts to attract private-fund support for meeting these needs.

1.12 The Chancellor is to serve as the Chief Executive Officer for Fund Development and as the agent of the Board for the discharge of development responsibilities. The Chancellor shall define for the Board, at periodic intervals, descriptions of current and future needs, as determined by the institutional heads and System Administration, taking into account such needs as each component institution development board may have recommended.

#### Sec. 2. The Development Board of a Component Institution for Private-Fund Development.

2.1 With the approval of the institutional head, the Chancellor, and the Board of Regents, any component institution may have a development board dedicated to its own unique interests. Such a development board is the agency responsible through the institutional head to the Chancellor, and through him to the Board of Regents, for all private-fund development for that component institution. Each component institution development board shall determine its development needs and shall direct the formulation of plans and the promotion of support for its programs.

2.2 Responsibilities and duties of the component institution development boards:

2.21 The component institution development board is the agency responsible to the institutional head of each

institution for all private-fund development for that institution.

2.22 The component institution development board shall recommend through the institutional head and the Chancellor to the Board of Regents the approval of current and long-range policies which shall govern activities and responsibilities in cultivating and securing private funds for the institution.

2.23 The component institution development board shall have responsibility:

2.231 For studying and developing total development needs of the component institution.

2.232 For coordinating and formulating plans and actively promoting support for both current and long-range programs to meet the developmental needs of the component institution.

2.233 For developing gift possibilities not related to predetermined projects.

2.234 For periodic reports of progress to the institutional head and the Chancellor on the plans and programs of the component institution development board. It is expected that a continuing program of the component institution will include collection and dissemination of information regarding gifts and endowments.

2.235 At periodic intervals, the institutional head shall lay before his development board descriptions of current development needs.

### 2.3 Composition and Operation of the Component Institution Development Board:

2.31 The component institution development board shall consist of not more than 25 appointed members, and these shall be recommended and appointed by the institutional head of each component institution with prior specific written approval of the Chancellor and the Board of Regents. Initial appointments to the component institution development board shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointment of the board will be for a three-year term. All terms shall officially begin on September 1. At least one member shall be nominated by the ex-students' association of that institution. The institutional head and the Chancellor (or his delegate) shall be ex officio members with voting privileges. The component institution



development board will elect a Chairman and such other officers as are appropriate from among its membership.

**2.4 General Policies of the Component Institution Development Boards:**

- 2.41** A component institution development board shall seek to enlist the aid of numerous friends of the institution in fund-development efforts, and may establish such committees and other groups as seem desirable in carrying out its program.
- 2.42** A component institution development board shall serve the individual component institution of the System to coordinate and assist in the plans and programs of that component institution with consideration of development interests of all component institutions in the System.
- 2.43** A component institution development board will work closely with the internal foundations of the component institutions. No internal foundations shall be established or continued in existence except with the approval of the Chancellor and the Board of Regents. The institutional head of each component institution shall be responsible for stimulating, guiding, and assisting the component institution development board and internal foundations of the component institution he heads and he may require suitable annual reports from each. All such activities shall be coordinated through the office of the institutional head and the director of the component institution development board.
- 2.44** From time to time, special campaigns for specific objectives may be conducted, with or without the assistance of private fund-raising counsel. Such campaigns may originate upon recommendation by the Board of Regents, the Chancellor, the institutional head with the concurrence of the Chancellor, or the component institution development board. No such campaign shall be authorized or undertaken, however, until the Chancellor has advised the Board of Regents of his approval or disapproval and the campaign has been approved by the Board of Regents.
- 2.45** Notwithstanding the provisions hereof conferring authority upon and placing responsibility with the Chancellor for fund development and fund raising, it is understood that ex-students' associations of the System component institutions may engage in fund raising for their own support

through dues and payments for memberships, both annual and life. However, it is expected that no such ex-students' association will sponsor or participate in any other organized fund-raising effort without first consulting and advising with the institutional head and the Chancellor, and then receiving the approval of the Board of Regents.

- 2.5 Executive Office of a Component Institution Development Board:
  - 2.51 Within the office of the institutional head there may be appointed by the institutional head, with the approval of the Chancellor, an executive director of the component institution development board. He is to be charged solely with fund-development activity, and subject to supervision, evaluation, and termination of employment by the institutional head.
  - 2.52 The executive director of the component institution development board shall have such staff and such operating funds as shall be determined from time to time by budgets recommended by the institutional head, endorsed by the Chancellor, and adopted by the Board of Regents. Duties of staff members shall be established by the executive director.
- 2.6 Finances.--Financial support of the component institution development board and the executive director shall be provided exclusively by the budget of the institution. Such budgets will be made through established budgetary procedures. The Board of Regents may accept gifts designated for use by the component institution development board and may make such funds available for expenditure by said board.

Sec. 3. Foundations.--The following policies shall govern the creation and administration of foundations:

- 3.1 Internal Foundations:
  - 3.11 The establishment of internal foundations shall be limited to teaching and research divisions of the component institutions of the System. This is not in any sense to be construed as excluding nonteaching and nonresearch divisions from seeking support from private sources through the component institution development boards as the authorized agencies for correlating all fund-raising activities.
  - 3.12 The establishment of foundations for other than component institutions, colleges, or schools shall be limited to divisions and departments with respect to which it can be clearly demonstrated that there exists, actually or potentially, the support of a strong business or professional group, the activities of which will not be in substantial

conflict with the foundation which represents the school or college of which the division or department is a part. It is believed that divisions and departments which cannot meet these tests may effectively work as separate groups within the framework of the foundation which represents this school or college. The provisions now existing for the designation of special funds to be used for specific activities should continue within the framework of the various foundations. This opportunity to earmark funds obtained by specific groups should help to avoid stifling the interest and initiative of these groups.

- 3.13 Any foundation in addition to those now existing shall be authorized by the Board of Regents only after approval by the Chancellor.
- 3.14 The work of all internal foundations shall be considered a part of the work of the component institution development boards. It is the duty of the component institution development boards to cooperate with such foundations at all times and to stimulate their efforts by counsel, by personal contacts and by providing promotional materials. Further, the foundations shall report periodically to the Chancellor through the component institution development boards. Every effort should be made to permit a free range of initiative within the foundations, but activities should be in conformity with policies of the Board of Regents so as to permit maximum overall achievements in fund raising throughout the System.
- 3.15 There should be periodic reviews of the activities of each foundation to determine its effectiveness; and, if it is unproductive over a reasonable length of time, provisions should be made for its dissolution.
- 3.16 There shall be established, wherever practical, advisory councils to the foundations. The executive director of each component institution development board shall be an ex officio nonvoting member of each such advisory council.
- 3.17 The presently authorized internal foundations are:

<u>Foundation</u>	<u>Date Established</u>
<u>The University of Texas at Austin</u>	
John Charles Townes Foundation (School of Law)	1941
Pharmaceutical Foundation of the College of Pharmacy	1949

Fine Arts Foundation of the College of Fine Arts	1950
Architectural Foundation of the School of Architecture	1952
Genetics Foundation of the Zoology Department	1952
College of Business Administration Foundation	1953
The Psychological Research Foundation	1953
Geology Foundation	1953
Arts and Sciences Foundation	1955
Engineering Foundation	1955
College of Education Foundation*	1976
School of Social Work Foundation	1966
The Lyndon Baines Johnson School of Public Affairs Foundation, Inc. (Chartered)	1968
Communication Foundation of the School of Communication	1969
Graduate School of Library Science Foundation	1969
<u>University Cancer Foundation</u>	1951
<u>The University of Texas at Arlington Foundation</u>	1967
<u>The University of Texas Medical Branch at Galveston Foundation</u>	1967

\*Formerly Teacher Education Foundation - 1956

<u>The University of Texas at El Paso Foundation</u>	1967
<u>The University of Texas Medical School at Houston</u>	
Houston Medical Foundation (Chartered)	1970
<u>The University of Texas System</u>	
Hogg Foundation for Mental Health	1940
The University of Texas Foundation, Inc. (Chartered)	1967
<u>The University of Texas at Dallas</u>	
The Aerospace Heritage Foundation, Inc.	1978

3.2 External Foundations

- 3.21 No component institution or department or school of a component institution of the System may accept or receive gifts or bequests from any external foundation (whether or not an authorized external foundation) until such gifts or bequests have been accepted and approved by the Board of Regents.
- 3.22 Wherever such external foundations now exist, the Board of Regents shall establish a working relationship with the officials of that foundation and coordinate their activities in such a way as to assure their conformity with the general policies of the Board of Regents.
- 3.23 The only presently authorized external foundations are:

Foundation

Law School Foundation

Texas Chest Foundation

The Business School Foundation

## CHAPTER VIII

### MISCELLANEOUS

- Sec. 1. Naming of Buildings and Other Facilities. --Buildings and other facilities (including laboratories and clinics) of the System and its component institutions shall not be named in honor of any person until such person shall have been dead at least five years and a nomination accompanied by reasons shall have been received by the Board from the institutional faculty; provided, however, that the Board may act without receiving a nomination from the institutional faculty when unusual circumstances justify such action and particularly when a substantial donation has been made toward the construction of the building or facility to be named.
- Sec. 2. Flags at Half Mast. --Flags at any of the component institutions of the System shall be placed at half mast on the death of a Regent, the death of a member of the teaching or nonteaching staff, the death of a student in residence at the institution, or at such other times as may be deemed appropriate by the institutional head.
- Sec. 3. Medical and Hospital Services. --No medical or hospital services shall be provided by any component institution of the System to any person without compensation or reimbursement to the System, except that in the case of hospitals operated by the System, which under the law are open to the general public, free or partly free medical and hospital services may be rendered to persons who are indigent and who are able to offer proof that they are not financially able to pay either all or any part of their hospital or medical expenses.

In the health components, full-time faculty in clinical services meeting the American Medical Association definitions of primary care may accept patients for acute or continuing, or both, care without referral by another physician or agency if the patients certify that they have no primary physicians. The patients are accepted for total and continuing care including the obligation to obtain the services of other physicians when indicated.

Upon the referral of a duly licensed physician, dentist, or governmental agency or for the purpose of preparing for testimony before any administrative or judicial tribunal, full-time faculty in nonprimary care clinical services may accept patients for examination, care and/or treatment. The referral source should be documented in the patient's records.

This referral policy shall not apply to patients with emergency conditions, or to employees or students of UT component institutions.

Sec. 4. Institutions and Entities Composing the System. --The System is composed of the component institutions and entities set forth below in paragraphs 4.1 et seq.; and such other component institutions and activities as may from time to time be assigned to the governance, control, jurisdiction, or management of the Board of the System. To insure uniformity and consistence of usage throughout the System, the component institutions and their respective entities shall be listed in the following order and the following titles shall be used:

	<u>Full Title</u>	<u>Short Title</u>
4.1	The University of Texas System Board of Regents, including The University of Texas Permanent University Fund	Board of Regents  Permanent University Fund
4.2	The University of Texas System Administration	System Administration
4.3	The University of Texas at Arlington	U.T. Arlington
4.31	The University of Texas at Arlington School of Architecture and Environmental Design	
4.32	The University of Texas at Arlington College of Business	
4.33	The University of Texas at Arlington College of Engineering	
4.34	The University of Texas at Arlington College of Liberal Arts	
4.35	The University of Texas at Arlington School of Nursing	
4.36	The University of Texas at Arlington College of Science	
4.37	The University of Texas at Arlington School of Social Work	
4.38	The University of Texas at Arlington Graduate School	
4.39	The University of Texas at Arlington Institute of Urban Studies	Institute of Urban Studies
4.4	The University of Texas at Austin	U.T. Austin
4.41	The University of Texas at Austin School of Architecture	
4.42	The University of Texas at Austin College of Liberal Arts	

- 4.43 The University of Texas at Austin College of Natural Sciences
  - 4.44 The University of Texas at Austin College of Business Administration
  - 4.45 The University of Texas at Austin School of Communication
  - 4.46 The University of Texas at Austin College of Education
  - 4.47 The University of Texas at Austin College of Engineering
  - 4.48 The University of Texas at Austin College of Fine Arts
  - 4.49 The University of Texas at Austin School of Law
  - 4.4(10) The University of Texas at Austin Graduate School of Library Science
  - 4.4(11) The University of Texas at Austin School of Nursing
  - 4.4(12) The University of Texas at Austin College of Pharmacy
  - 4.4(13) The University of Texas at Austin Lyndon B. Johnson School of Public Affairs
  - 4.4(14) The University of Texas at Austin School of Social Work
  - 4.4(15) The University of Texas at Austin Graduate School
  - 4.4(16) The University of Texas at Austin Marine Science Institute Marine Science Institute
  - 4.4(17) The University of Texas at Austin McDonald Observatory McDonald Observatory at Mount Locke
- 4.5 The University of Texas at Dallas U. T. Dallas
- 4.51 The University of Texas at Dallas School of Arts and Humanities
  - 4.52 The University of Texas at Dallas School of General Studies
  - 4.53 The University of Texas at Dallas School of Human Development
  - 4.54 The University of Texas at Dallas School of Management and Administration



- 4.55 The University of Texas at Dallas School of Natural Sciences and Mathematics
- 4.56 The University of Texas at Dallas School of Social Sciences
- 4.57 The University of Texas at Dallas Callier Center for Communication Disorders
  
- 4.6 The University of Texas at El Paso U. T. El Paso
  - 4.61 The University of Texas at El Paso College of Business Administration
  - 4.62 The University of Texas at El Paso College of Education
  - 4.63 The University of Texas at El Paso College of Engineering
  - 4.64 The University of Texas at El Paso College of Liberal Arts
  - 4.65 The University of Texas at El Paso College of Nursing
  - 4.66 The University of Texas at El Paso College of Science
  - 4.67 The University of Texas at El Paso Graduate School
  
- 4.7 The University of Texas of the Permian Basin U. T. Permian Basin
  - 4.71 The University of Texas of the Permian Basin College of Arts and Education
  - 4.72 The University of Texas of the Permian Basin College of Management
  - 4.73 The University of Texas of the Permian Basin College of Science and Engineering
  
- 4.8 The University of Texas at San Antonio U. T. San Antonio
  - 4.81 The University of Texas at San Antonio College of Business
  - 4.82 The University of Texas at San Antonio College of Fine and Applied Arts
  - 4.83 The University of Texas at San Antonio College of

Humanities and Social  
Sciences

- 4.84 The University of Texas at  
San Antonio College of  
Multidisciplinary Studies
- 4.85 The University of Texas at  
San Antonio College of  
Sciences and Mathematics
- 4.9 The University of Texas Institute of  
Texan Cultures at San Antonio Institute of  
Texan Cultures
- 4.(10) The University of Texas Health  
Science Center at Dallas Dallas Health  
Science Center
- 4.(10)1 The University of Texas  
Southwestern Medical  
School at Dallas Dallas Southwestern  
Medical School
- 4.(10)2 The University of Texas  
Graduate School of  
Biomedical Sciences  
at Dallas Dallas G.S.B.S.
- 4.(10)3 The University of Texas  
School of Allied Health  
Sciences at Dallas Dallas Allied Health  
Sciences School
- 4.(11) The University of Texas Medical Branch  
at Galveston Galveston Medical  
Branch
- 4.(11)1 The University of Texas  
Medical School at  
Galveston Galveston Medical  
School
- 4.(11)2 The University of Texas  
Graduate School of  
Biomedical Sciences  
at Galveston Galveston G.S.B.S.
- 4.(11)3 The University of Texas  
School of Allied Health  
Sciences at Galveston Galveston Allied  
Health Sciences  
School
- 4.(11)4 The University of Texas  
Marine Biomedical Insti-  
tute at Galveston Marine Biomedical  
Institute
- 4.(11)5 The University of Texas  
Institute for the Medical  
Humanities at Galveston Galveston Medical  
Humanities  
Institute
- 4.(11)6 The University of Texas  
Hospitals at Galveston Galveston Hospitals
- 4.(11)7 The University of Texas  
School of Nursing at  
Galveston Galveston Nursing  
School

4.(12) The University of Texas Health Science Center at Houston	Houston Health Science Center
4.(12)1 The University of Texas Medical School at Houston	Houston Medical School
4.(12)2 The University of Texas Dental Branch at Houston	Houston Dental Branch
4.(12)3 The University of Texas Graduate School of Biomedical Sciences at Houston	Houston G.S.B.S.
4.(12)4 The University of Texas School of Allied Health Sciences at Houston	Houston Allied Health Sciences School
4.(12)5 The University of Texas School of Public Health at Houston	Public Health School
4.(12)6 The University of Texas Speech and Hearing Institute at Houston	Speech and Hearing Institute
4.(12)7 The University of Texas School of Nursing at Houston	Houston Nursing School
4.(13) The University of Texas Health Science Center at San Antonio	San Antonio Health Science Center
4.(13)1 The University of Texas Medical School at San Antonio	San Antonio Medical School
4.(13)2 The University of Texas Dental School at San Antonio	San Antonio Dental School
4.(13)3 The University of Texas Graduate School of Biomedical Sciences at San Antonio	San Antonio G.S.B.S.
4.(13)4 The University of Texas School of Allied Health Sciences at San Antonio	San Antonio Allied Health Sciences School
4.(13)5 The University of Texas School of Nursing at San Antonio	San Antonio Nursing School
4.(14) The University of Texas System Cancer Center	University Cancer Center

- |   |                        |
|---|------------------------|
| 4.(14)1 The University of Texas<br>M. D. Anderson Hospital<br>and Tumor Institute at<br>Houston | M. D. Anderson         |
| 4.(14)2 The University of Texas<br>Science Park   | Science Park           |
| 4.(15) The University of Texas Health<br>Center at Tyler  | Tyler Health<br>Center |

## CHAPTER IX

### ENACTMENT AND AMENDMENT

Sec. 1. Repeal of Existing Rules in Conflict Herewith.

1.1 All rules, regulations, orders, and resolutions heretofore enacted by the Board which are in conflict with these Regents' Rules and Regulations are hereby repealed.

Sec. 2. Format for Rules.

2.1 The Regents' Rules and Regulations for the government of the System apply to and govern the Board and all employees and agencies directly under its control, the Chancellor, the System Administration of The University of Texas System, and the component institutions comprising The University of Texas System.

2.2 These Regents' Rules and Regulations are organized in two parts. Part One shall, in general, contain all rules and regulations other than those of a fiscal nature. Part Two shall consist, in general, of the fiscal rules and regulations of the Board.

Sec. 3. Official Copies.

3.1 The official copies of the Regents' Rules and Regulations and the Handbook of Operating Procedures for each component institution of the System shall be maintained on file in the Office of the Secretary to the Board.

3.2 Copies of these Regents' Rules and Regulations and of the Handbooks of Operating Procedures shall be furnished to members of the Board and such other persons and offices as the Board shall designate.

Sec. 4. Amendment of Rules and Regulations. --The Regents' Rules and Regulations may be added to or amended by a majority of all of the members of the Board at any regular meeting or at any special meeting called for that purpose.

Sec. 5. Distribution of Amendments. --After any change in these Regents' Rules and Regulations, the Secretary to the Board shall conform

the Official Copies and shall send corrected pages containing such changes for substitution in copies in the possession of members of the Board, administrative officers, or others on an official list in the Office of the Secretary to the Board.