

OFFICE OF THE BOARD OF REGENTS

MEMORANDUM

DATE June 26, 1967

TO: All Members of the Board of Regents
FROM: Betty Anne Thedford
SUBJECT: Regents' Rules and Regulations, Part One, Amendments Adopted on
June 17, 1967

Enclosed with this memorandum are revised pages of the Regents' Rules and Regulations, Part One, in which have been incorporated the amendments adopted by the Regents at their meeting on June 17:

Pages 4 and 5: Section 7.15

Pages 7 and 8: Sections 8.61, 8.62, and 8.65

Pages 30, 31, 32, and 33: Sections 6.33, 6.334,
6.335, 6.336, and 6.34

Pages 61, 62, and 63: Section 3.9

Please substitute the enclosed pages for the like numbered pages of Part One.

Enclosures ____ of each page.

of all members of the whole Board or without the consent of a majority of the whole Board and subsequent ratification at a regular meeting.

Sec. 7. Committees.

- 7.1 Standing Committees.--The following committees shall be appointed to consider policies for the government of all major areas: (a) Executive Committee, (b) Academic and Developmental Affairs Committee, (c) Buildings and Grounds Committee, (d) Land and Investment Committee, (e) Medical Affairs Committee, (f) Board for Lease of University Lands.
- 7.11 Appointment and Term of Standing Committees.--The standing committees shall be appointed by the Chairman shortly after his election, by and with the consent of the Board, and shall remain as constituted (unless a vacancy shall be caused by death, resignation, or refusal of some member of a committee to act) until the succeeding Chairman shall have reconstituted the committees. The Chairman shall be an ex officio member of each committee.
- 7.12 Method of Filling Vacancies in Standing Committees.--In case a vacancy shall occur on any of the standing committees, the Chairman of the Board shall appoint another member or members of the Board to serve thereon until the next regular meeting, at which time the sense of the Board shall be taken on such appointment, and, if confirmed, the appointment shall stand until the time for reconstituting the standing committees as herein provided.
- 7.13 Time of Meetings of Committees of 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. All matters that are referred to a standing committee and that cannot be disposed of within the time allotted in the meeting calendar to the committee for its deliberations shall be referred to the Committee of the Whole for action.
- 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 Executive 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 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. The Committee of the Whole may hold in closed session (1) deliberations to consider the appointment, employment or dismissal of a public officer or employee or to hear complaints of charges brought against such officer or employee, unless such officer or employee requests a public hearing; (2) deliberations pertaining

to the acquisition of additional real property; (3) deliberations on matters affecting security; and (4) consultations with the Board's attorney or attorneys. Except for meetings of the Committee of the Whole, meetings of all committees shall be open to the press and public unless otherwise determined by the Board in accordance with law.

- 7.16 Composition and Duties of the Executive Committee. -- The Executive Committee shall be composed of all members of the Board. It shall have authority to act for the Board of Regents on all matters that require action between meetings of the Board, but at each meeting of the Board, the Executive Committee shall report in writing (for ratification) all actions taken by it since the last meeting of the Board.
- 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 relating to legislative matters affecting the University, matters relating to other state agencies and departments and municipal and federal agencies, and perform such continuing duties as are usual and customary for a committee charged with legislative and interagency responsibilities.
 - 7.174 Consider all matters affecting the growth and usefulness of the libraries of the University.
 - 7.175 Consider all matters affecting the conduct and management of Intercollegiate Athletics.
 - 7.176 Consider all matters where the Board's approval is required or desirable but which are not assigned to another committee, unless such matters have been placed on the agenda of the Committee of the Whole by the Chairman of the Board, or by another committee of the Board.
- 7.18 Duties of the Medical Affairs Committee. -- The Medical Affairs Committee shall consider all matters connected with the medical, dental, and nursing institutions and schools except those specifically assigned to other committees of the Board.

- 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 Attendance at Meetings.--At Board meetings, every effort will be made to schedule the appearance of the administrative officers of the component institutions as early in the meetings as possible so that they will not have to remain for the duration of the meeting unless they desire to do so.
- 8.5 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.
- 8.6 Communications to the Board.
- 8.61 Nothing herein shall be construed to prevent members of the Board of Regents 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 of Regents to the faculty, staff, and administration is through the Chancellor and through 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 to 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 them, 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 ten days in advance of the meeting. Until fourteen days prior to the Regents' meeting, the Secretary shall receive from the Chancellor items that arise too late for the ten-day submission to the Regents and shall mail these supplementary agenda items to the members of the Board so they will be received 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.
- 8.62 Except upon invitation of the Board of Regents, 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 such request.

- 8.63 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 his discretion.
- 8.64 A docket, to be entitled the "Chancellor's Docket," composed of routine matters, arising from Central Administration and the component institutions, which are required to be reported to or approved by the Board of Regents in accordance with established policies of the Board, shall be prepared as directed and approved by the Chancellor. The Chancellor's Docket shall be distributed by the Secretary to all members of the Board 18 days before the Board convenes together with a ballot to be returned 14 days thereafter. The ballot will read: "Approved, except as to the following items:" with space provided for listing the excepted items. Any excepted item listed by any Regent will not be approved but will be referred to the Committee of the Whole for consideration at the next meeting of the Board. All items not excepted by any Regent will be deemed approved without further action of the Board, and will be reported for the record in the minutes of the next meeting of the Board as an attachment to those minutes. Any Regent whose completed ballot has not been received by the Secretary at the conclusion of business on the 14th day after the Chancellor's Docket has been mailed to such Regent shall be deemed to have approved all items in the Docket without exception.
- 8.65 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 through 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 of Regents 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 at least ten

5.22 The second degree of affinity includes the grandchildren of employee's spouse, and the nephews, nieces, uncles, aunts, and first cousins of employee's spouse. The third degree of consanguinity includes the great-grandson, great-grandfather, great-uncle, great-uncle's children, second cousin, first cousin's children, and grand-nephew of the employee.

5.3 Restrictions on Appointments.

5.31 No relative, within the second degree of affinity or the third degree of consanguinity, of a member of the Board of Regents will be considered for appointment, but such person will be considered for reappointment in those cases where the appointment was antecedent to the Board member's appointment.

5.32 No person shall be initially appointed, or promoted, when it is the duty of any relative employed by The University of Texas System to act in any official capacity upon such appointment or promotion, regardless of the source of funds for payment of salary; nor shall any appointment or promotion be made if either person would be under the administrative supervision of the other or if either would have any official voice in recommending salary increases or promotions in rank for the other.

5.33 When two employees of The University of Texas System marry, both may not continue to hold such positions beyond the then current fiscal year, if the employment of married persons to such positions initially would violate these regulations.

5.34 Relationship shall not be a bar to honorary positions or to non-remunerative positions.

5.4 General Provisions.

5.41 The provisions of the antinepotism rule apply to all programs administered under the Board of Regents.

5.42 In extraordinary cases where the interest of The University of Texas System will be served thereby, the Board of Regents, upon special advance petition from an institutional head approved by the Chancellor, may suspend these regulations except as to the appointment of any relative of a Regent, the Chancellor of The University of Texas System, or the head of any component institution.

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

6.1 By statute, "The Regents shall have power to remove any professor, tutor or other officer connected with the institution, when, in their judgment, the interest of the University shall require it." (Article 2586, Vernon's Civil Statutes)

6.2 Subject to the provisions of Article 2586, Vernon's Civil Statutes, the principles governing tenure and promotion are specified for each component institution in the Institutional Supplement applicable to that institution.

- 6.3 Termination by an institution of the employment of a faculty member who enjoys continuing appointment and of all other faculty members before the expiration of the stated period of 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 University of Texas 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, and 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 such fairness or objectivity, but he 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, recommendations, or suggestions are made, they shall be similarly treated.

6.34 The Board of Regents, 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.

6.4 Dismissal or demotion of classified or nonteaching personnel will be only for good cause shown, as determined by appropriate administrative officers to whom this responsibility is delegated by the institutional head, and in case of such dismissal or demotion any appeal shall be reviewed by the institutional head.

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 man 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 University of Texas System or any of its component institutions in partisan politics.

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 extra-curricular 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 of Regents 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, the Chancellor, the institutional heads, and other 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, and Improvement of University 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 supplements; 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.
- 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. 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 the 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 University of Texas 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.
- 3.3 Gambling, immoral conduct, dishonesty, the illegal use of drugs or narcotics, or the excessive use of intoxicating liquors renders the student subject to discipline.
- 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 and which will not be attended by students. 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 University of Texas System and its component institutions.

- 3.5 No former student who has been suspended for disciplinary reasons from a component institution of The University of Texas 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. (Texas Penal Code, 1925, Articles 1152, 1153, 1154, and 1155.) Hazing with or without the consent of a student is prohibited by The University of Texas 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 The component institutions of The University of Texas System shall administer student discipline within the procedures of recognized and established due process. Accordingly, reasonable notice should be given the student of the specific charge of misconduct against him, which, if proved, would be a violation of some rule or regulation of The University of Texas System or of the institution of which he is a student. In cases where the facts are in dispute, the student is entitled to have a hearing at which he is afforded the opportunity to testify and offer evidence and witnesses in his own behalf, but, of course, he cannot be required to testify. At such hearing the student is entitled to be confronted by the witnesses against him, and either he or his attorney or adviser is entitled to cross-examine the witnesses against him. He is entitled to be represented by an attorney or other adviser at the hearing, and a stenographic or mechanical record of the hearing shall be made. A representative of the institution may appear before the hearing tribunal to present witnesses and evidence against the accused student and in support of the charge brought against such student, and such institution representative shall have the right to cross-examine the accused student (if he testifies in his own behalf) and the witnesses offered on behalf of the student. The hearing shall be held before a tribunal which shall be appointed by the Dean of

Students from the faculty, or from the faculty and the student body, and which shall not include any accuser of the student. If the accused student is not satisfied with the fairness or objectivity of any member or members of the tribunal, he may challenge his or their alleged lack of such fairness or objectivity, but he 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 Dean of Students shall appoint a substitute member of the tribunal who is qualified hereunder. If the accused student is not satisfied with the written findings, recommendations, and suggestions of the majority of the hearing tribunal, he is entitled to appeal to the Board of Regents through the Dean of Students, the institutional head, and the Chancellor. Such appeal shall be made on the basis of the record made at the hearing, but the student will be permitted to present such reasons as he may wish to urge against the action of the hearing tribunal. The official or Board hearing the appeal may require that the student's reasons for the appeal be presented in writing instead of orally. The official or Board hearing the appeal may approve, reject, or amend the findings, recommendations, and suggestions, if any, of the hearing tribunal, or may recommit the report to the hearing tribunal for hearing additional evidence and reconsidering its findings, recommendations, and suggestions, if any. Reasons for approval, rejection, or amendment of such findings, recommendations, or suggestions will be stated in writing and communicated to the accused student.

- 3.(10)The Dean of Students shall have the primary authority and responsibility for the administration of student discipline in his institution and subject to the procedures of due process, he may assess penalties for violation of rules and regulations of The University of Texas System and/or of the institution at which the accused is a student, regardless of whether such violations are also violations of civil or criminal law.
- 3.(11)Through matriculation at an institution of The University of Texas 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.(12)Upon his indictment for a felony, a student may be suspended by the Dean of Students pending a final disposition of the indictment. If the student is not acquitted, his readmission to the institution will be subject to the approval of the Dean of Students and the institutional head.