

EXCERPT FROM THE MINUTES

- JUN - 9 1994
4. U. T. Board of Regents - Regents' Rules and Regulations, Part One; Authorization to Amend Chapter III, Section 33, Subsection 33.1 (Retirement and Modified Service). --In order to permit The University of Texas System to employ aircraft pilots until the age of 70, authorization was given to amend the Regents' Rules and Regulations, Part One, Chapter III, Section 33, Subsection 33.1 regarding retirement and modified service to read as set forth below:

Sec. 33. Retirement and Modified Service.

- 33.1 No person employed by the U. T. System or any component institution shall be required to retire because of age except as permitted by law. However, a licensed pilot operating an aircraft under Part 91 of the Federal Aviation Regulations may be employed as a pilot until the end of the fiscal year that includes the pilot's seventieth birthday. Upon attaining the age of sixty, the pilot must satisfactorily complete the flight physical required for his/her flight certification on a semi-annual basis. Flight physicals for all U. T. System pilots will be conducted by a certified flight surgeon employed at one of the health institutions of the U. T. System. In the event there is no certified flight surgeon on staff at one of the health institutions of the U. T. System, the flight physical will be conducted, at U. T. System expense, by a certified flight surgeon designated by one of the health institutions of the U. T. System.

EXCERPT FROM THE MINUTES

JUN - 9 1994

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One; Amendments to Chapter III, Section 34, Subsection 34.3 (Faculty and Staff Organizations).--In order to remove unnecessarily strict language concerning the filing of an affidavit by registered faculty and staff organizations, the Board, upon recommendation of the Academic Affairs and Health Affairs Committees, amended the Regents' Rules and Regulations, Part One, Chapter III, Section 34, Subsection 34.3 regarding faculty and staff organizations to read as set forth below:

Sec. 34. Faculty and Staff Organizations.

34.3 No organization may become registered or remain registered at a component institution as a faculty or staff organization unless the membership of the organization is restricted to the faculty or staff of that component institution.

34.31 At the time of application for registration and at the beginning of each semester that an organization is registered as a faculty or staff organization, each such organization shall file with the appropriate officer at the component institution a statement that the organization does not presently have, nor during any period of registration will it have, as a member any person who is not a member of the faculty or staff of the institution.

34.32 If the chief administrative officer of the institution, or his or her designated delegate, determines that the statements required above are false, registration shall be denied, or if it is determined that such statements have become false during any period of registration, such registration shall be cancelled.

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EXCERPT FROM THE MINUTES

- JUN - 9 1994
3. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendments to Chapter III, Section 5, Subsection 5.2, Subdivision 5.21 [Appointment of Relatives (Nepotism Rule)].--The Board, upon recommendation of the Business Affairs and Audit Committee, amended the Regents' Rules and Regulations, Part One, Chapter III, Section 5, Subsection 5.2, Subdivision 5.21 regarding the appointment of relatives (nepotism rule) to read as set forth below:

5.21 Section 573.001 et seq., Texas Government Code, 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 30 days 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; provided that when such person is reappointed or continued in employment the member of the Board of Regents who is related to such person in the prohibited degree shall not participate in the deliberation or voting upon the reappointment, continuation of employment, change in status, compensation or dismissal of such person, if such action applies only to such person and not to a bona fide class or category of employees.

This amendment denotes reference to the codification of former Article 5996a of Vernon's Civil Statutes in the Texas Government Code and amends the period of continuous employment required for relatives of appointed officials such as members of the U. T. Board of Regents to be consistent with the 30-day period included in the Texas Government Code.

EXCERPT FROM THE MINUTES

JUN - 9 1994

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter II, Section 6 (Executive Vice Chancellor for Business Affairs) and Section 11 (Other Code 1000 Staff and Officers of System Administration).--Approval was given to amend the Regents' Rules and Regulations, Part One, Chapter II as set forth below:

a. Section 6 was amended to read as follows:

Sec. 6. Executive Vice Chancellor for Business Affairs.

The Executive Vice Chancellor for Business Affairs reports to the Chancellor and is responsible for the direction of those offices and supervision of those areas of responsibility set forth in Subsection 6.2(10) of this Chapter. The Executive Vice Chancellor for Business Affairs provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Executive Vice Chancellor for Business Affairs has direct access to the Board of Regents of The University of Texas System and is expected to work directly with the appropriate committees of the Board in discharging the duties of the office.

6.1 Appointment and Tenure.

The Executive Vice Chancellor for Business Affairs shall be appointed by the Board after nomination by the Chancellor. The Executive Vice Chancellor for Business Affairs shall hold office without fixed term, subject to the pleasure of the Chancellor. The Chancellor's actions regarding the Executive Vice Chancellor for Business Affairs are subject to review and approval by the Board.

6.2 Duties and Responsibilities.

The primary responsibilities of the Executive Vice Chancellor for Business Affairs include:

- 6.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 6.22 Submitting recommendations to the Chancellor and to the appropriate Executive Vice Chancellor on business operations of the components of the System.
- 6.23 Reviewing and making recommendations on uniform business systems and management.
- 6.24 Submitting recommendations relating to programs for the most efficient management of personnel and resources.
- 6.25 Submitting recommendations for program development for training of personnel in nonacademic areas.
- 6.26 Reviewing and making recommendations on programs of long-range planning for physical facilities and financial resources.
- 6.27 Reviewing and making recommendations relating to police and security matters within the System.
- 6.28 Coordinating the business affairs of the System with other officers and members of the System Administration staff.
- 6.29 In consultation with the appropriate Executive Vice Chancellor, coordinating the activities of business administrative operations of the component institutions.

- 6.2(10) Managing the operations of the offices listed below through such internal administrative organization as he/she deems to be appropriate:  
 Office of the Associate Vice Chancellor for Business Affairs  
 Office of Historically Underutilized Business Development  
 Office of the Director of Police  
 Office of the Assistant Vice Chancellor and Controller  
 Budget Office  
 Office of Management Information Systems  
 Office of Information Services  
 Office of Business and Administrative Services  
 Director of Accounting regarding System Administration accounts  
 Office of the Assistant Vice Chancellor for Finance  
 Office of Facilities Planning and Construction  
 Office of Finance  
 Office of Endowment Real Estate regarding non-endowment and campus real estate  
 System Personnel Office  
 Office of Employee Group Insurance Program  
 Office of West Texas Lands Management  
 University Lands Accounting Office  
 Surface Interests Oil, Gas & Mineral Interests.
- 6.2(11) Supervising and coordinating the acquisition and/or disposition of all nonendowment and campus lands at the component institutions and the U. T. System.
- 6.2(12) Directing the management of the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the System Administration and coordinating the building services for the System buildings.

- 6.2(13) Directing the management of the System-wide insurance programs (except the System Plan for Professional Medical Liability 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.
- 6.2(14) Implementing policy for the receipt, disbursement, and custody of funds; for terms of depository agreements with banks; and for custody of bearer securities owned by System funds that are maintained in bank safety deposit boxes and are not in custody with the State Treasurer.
- 6.2(15) Forwarding debt issues for approval by the Board of Regents following the concurrence of the Vice Chancellor for Asset Management.
- 6.2(16) Performing such other duties as may be assigned by the Chancellor.

b. Present Subsection 6.3 was deleted in its entirety.

**NOTE:** This subsection contained the detailed job descriptions of several officers reporting to the Executive Vice Chancellor for Business Affairs. These job descriptions will now be on file in the System Personnel Office as required in Item c. below.

c. Section 11 was amended to read as follows:

**Sec. 11. Other Code 1000 Staff and Officers of System Administration.**

Staff and officers of System Administration designated as code 1000 shall be appointed by the Chancellor, the Executive Vice Chancellors, or Vice Chancellors to whom they will report, and shall have appropriate job descriptions on file with the System Personnel Office. Persons so appointed shall not have tenure by virtue of their respective positions. They shall serve without fixed term, subject to the pleasure of the officer to whom they report. The actions of the appointing officer concerning such positions are in turn subject to review and approval by the Chancellor or the Board as required by the Regents' Rules and Regulations.

The amendments to Section 6 are intended to reflect a reorganization of those areas of responsibility of the Executive Vice Chancellor for Business Affairs.

Section 11 was amended to reflect the requirement that appropriate job descriptions be on file with the System Personnel Office.

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EXCERPT FROM THE MINUTES

AUG 11 1994

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter VIII, Section 4 (Institutions and Entities Composing the System).--In order to reflect changes in the names or titles of various academic entities within The University of Texas System that are the result of academic program actions approved by the U. T. Board of Regents and the Texas Higher Education Coordinating Board during the past year, the Board amended the Regents' Rules and Regulations, Part One, Chapter VIII, Section 4 (Institutions and Entities Composing the System) as set forth below.

Committee Chairman Holmes noted that in the future Board actions that involve changes in names of academic entities will include authorization for the Executive Secretary to the Board of Regents to editorially amend the Regents' Rules and Regulations upon approval by the Texas Higher Education Coordinating Board.

- 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>
4.5	The University of Texas at Brownsville	U.T. Brownsville
4.51	The University of Texas at Brownsville School of Business	
4.52	The University of Texas at Brownsville School of Education	
4.53	The University of Texas at Brownsville School of Health Sciences	
4.54	The University of Texas at Brownsville College of Liberal Arts	
4.55	The University of Texas at Brownsville College of Science, Mathematics and Technology	
4.56	The University of Texas at Brownsville Division of Continuing Education	



	<u>Full Title</u>	<u>Short Title</u>
4.7	The University of Texas at El Paso	U.T. El Paso
4.71	The University of Texas at El Paso College of Business Administration	
4.72	The University of Texas at El Paso College of Education	
4.73	The University of Texas at El Paso College of Engineering	
4.74	The University of Texas at El Paso College of Liberal Arts	
4.75	The University of Texas at El Paso College of Nursing and Health Sciences	
4.76	The University of Texas at El Paso College of Science	
4.77	The University of Texas at El Paso Graduate School	
4.8	The University of Texas - Pan American	U.T. Pan American
4.81	The University of Texas - Pan American College of Arts and Sciences	
4.82	The University of Texas - Pan American School of Business Administration	
4.83	The University of Texas - Pan American School of Education	
4.84	The University of Texas - Pan American School of Health Sciences	
4.9	The University of Texas of the Permian Basin	U.T. Permian Basin
4.91	The University of Texas of the Permian Basin College of Arts and Sciences	
4.92	The University of Texas of the Permian Basin School of Business	
4.93	The University of Texas of the Permian Basin School of Education	

	<u>Full Title</u>	<u>Short Title</u>
4.(11)	The University of Texas at Tyler	U.T. Tyler
4.(11)1	The University of Texas at Tyler School of Business Administration	
4.(11)2	The University of Texas at Tyler School of Education and Psychology	
4.(11)3	The University of Texas at Tyler School of Liberal Arts	
4.(11)4	The University of Texas at Tyler School of Sciences and Mathematics	
4.(11)5	The University of Texas at Tyler Division of Nursing	

EXCERPT FROM THE MINUTES

APR 14 1994

2. U. T. Board of Regents: Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 33, Subsection 33.1 (Retirement and Modified Service).--On December 31, 1993, Congress repealed 29 U.S.C. Section 623 that provided authority for mandatory retirement ages for law enforcement officers pursuant to the Age Discrimination in Employment Act. In order to reflect the change in federal law, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 33, Subsection 33.1 regarding retirement and modified service to read as set forth below:

Sec. 33. Retirement and Modified Service.

- 33.1 No person employed by the U. T. System or any component institution shall be required to retire because of age except as permitted by law. A pilot shall not be employed beyond the end of the fiscal year that includes the pilot's sixty-fifth birthday.

The age limitation on airplane pilots is based upon the Federal Aviation Administration restriction placed on commercial airlines and has been upheld by the federal courts as a bona fide occupational requirement for pilots employed by state agencies.

EXCERPT FROM THE MINUTES

FEB 10 1934

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One; Amendments to Chapter I, Section 8, Subsection 8.5, Subdivision 8.53 (Communications by and to the Board); Chapter IV, Section 3 (Faculty Advisory Council); and Chapter VI, Section 1, Subsection 1.6 (Student Advisory Group). --To formalize the continuing appointment of the Faculty Advisory Council and the Student Advisory Group within The University of Texas System, approval was given to amend the Regents' Rules and Regulations, Part One, Chapters I, IV, and VI as set forth below:

- a. Subdivision 8.53 of Chapter I, Section 8, Subsection 8.5 was amended to read as follows:

8.53 All official material to be distributed to the Regents shall be transmitted through the Office of the Board of Regents. Copies of all official communications from administrative officers to the Regents shall be sent to the Executive Secretary. Communications from the Chancellor and Executive Vice Chancellors shall be exempt from this requirement but in such cases information copies shall be furnished to the Executive Secretary. The regular channel of communication from the faculty, staff, students and administration to the Board is through the chief administrative officer of the institution involved, the appropriate Executive Vice Chancellor and the Chancellor. A copy of any communication sent directly to a Board member should be furnished to the Chancellor, the appropriate Executive Vice Chancellor and to the chief administrative officer of the institution involved.

Except for communications from the Chancellor, the Executive Vice Chancellors and the Executive Secretary to the Board, all communications to the Board from members of the university community should be in writing.

Communications from the Faculty Advisory Council and the Student Advisory Group to the Board are through the Chancellor.

- b. A new Section 3 to Chapter IV was added to read as follows:

Sec. 3. Faculty Advisory Council.--At the discretion of the Chairman of the Board of Regents and the Chancellor, a faculty advisory council representing component institutions in the U. T. System may be formed to facilitate the flow of ideas and information between and among the U. T. Board of Regents, the U. T. System Administration, and the component institutions. The Chairman and Chancellor will promulgate guidelines for the selection of faculty advisory council representatives. Representatives of the faculty advisory council may from time to time address the Board at meetings of the Board and may recommend action to the Board through the Chancellor. The faculty advisory council shall provide an annual report of activities and actions to the Board.

- c. A new Subsection 1.6 to Chapter VI, Section 1 was added to read as follows:

1.6 Student Advisory Group.--At the discretion of the Chairman of the Board of Regents and the Chancellor, a student advisory group representing component institutions in the U. T. System may be formed to facilitate the flow of ideas and information between and among the U. T. Board of Regents, the U. T. System Administration, and the component institutions. The Chairman and Chancellor will promulgate guidelines for the selection of student advisory group representatives. Representatives of the student advisory group may from time to time address the Board at meetings of the Board and may recommend action to the Board through the Chancellor. The student advisory group shall provide an annual report of activities and actions to the Board.

EXCERPT FROM THE MINUTES

FEB 10 1994

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One; Amendments to Chapter III, Section 7 (Rights and Responsibilities as a Citizen and as a Teacher) and Section 35 (Political Activities).--In order to clarify the terms and conditions applicable to political activities by faculty or staff members within The University of Texas System, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 7 (Rights and Responsibilities as a Citizen and as a Teacher) and Section 35 (Political Activities) as set forth below:

a. Section 7 was amended to read as follows:

Sec. 7. Rights and Responsibilities of Faculty Members as Citizens and as Teachers.

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 the teacher speaks or writes as a citizen, he or she should be free from institutional censorship or discipline, but the teacher's special position in the community imposes special obligations. As a person of learning and an educational officer, the teacher should remember that the public may judge the profession and the institution by his or her utterances. Hence, the teacher should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make it plain that the teacher is not an institutional spokesman.

b. Present Subsection 7.4 of Section 7 was deleted in its entirety.

c. A new Section 35 was added to read as follows:

Sec. 35. Political Activities.--The Board recognizes the right of a member of the faculty or staff to participate in political activities provided such activities are not conducted during work hours unless the faculty or staff member uses accrued compensatory or vacation leave; are in compliance with the Constitution and laws of the State of Texas; do not interfere with the discharge and performance of an employee's duties and responsibilities; do not involve the use of equipment, supplies, or services of the System or a component institution; do not involve the impermissible use of System or component facilities; do not involve the attempt to coerce students, faculty, or staff to participate in or support the political activity; and do not involve the System or a component institution in partisan politics. With the interest of the System or a component institution being given first consideration, a leave

of absence without pay pursuant to Subsection 16.2 of this Chapter, may--but need not--be granted to a member of the faculty or staff to participate in political activities. However, a leave of absence without pay shall not be granted to a member of the faculty or staff of the System or a component institution for the purpose of being a candidate for an elective public office, holding an elective public office, or directing the political campaign of a candidate for an elective public office. A member of the faculty or staff who wishes to engage in political activity that will interfere with the performance of his or her duties and responsibilities should voluntarily terminate employment. If the chief administrative officer of the component institution, the Chancellor, an Executive Vice Chancellor, or the Board finds that the faculty or staff member's political activity interferes with the performance of his or her duties and responsibilities or does not comply with the requirements of this subsection, the faculty or staff member shall be subject to appropriate disciplinary action, including termination.

d. Present Section 35 was renumbered as Section 36.

EXCERPT FROM THE MINUTES

DEC -2 1993

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter I, Section 8, Subsection 8.5, Subdivisions 8.53 and 8.55 (Communications by and to the Board). --Approval was given to amend the Regents' Rules and Regulations, Part One, Chapter I, Section 8, Subsection 8.5, Subdivisions 8.53 and 8.55 regarding communications by and to the Board to read as set forth below:

8.53 All official material to be distributed to the Regents shall be transmitted through the Office of the Board of Regents. Copies of all official communications from administrative officers to the Regents shall be sent to the Executive Secretary. Communications from the Chancellor and Executive Vice Chancellors shall be exempt from this requirement but in such cases information copies shall be furnished to the Executive Secretary. The regular channel of communication from the faculty, staff, students and administration to the Board is through the chief administrative officer of the institution involved, the appropriate Executive Vice Chancellor and the Chancellor. A copy of any communication sent directly to a Board member should be furnished to the Chancellor, the appropriate Executive Vice Chancellor and to the chief administrative officer of the institution involved.

Except for communications from the Chancellor, the Executive Vice Chancellors and the Executive Secretary to the Board, all communications to the Board from members of the university community should be in writing.

8.55 A description of all matters to be considered by the Board or a standing committee of the Board at any meeting shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and to designated officials 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 each member of the Board or to each member of the appropriate standing committee of the Board and the designated officials 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 they are fully concurred in by any Executive Vice Chancellor and chief administrative officer involved, and if not, their views and recommendations shall be included. Any matter not sent to the members of the Board or the members of a standing committee 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 or a standing committee of the Board.



EXCERPT FROM THE MINUTES

OCT - 8 1993

2. U. T. Board of Regents - Regents' Rules and Regulations: Amendments to (a) Part One, Chapter III, Section 16 (Leaves of Absence Without Pay) and (b) Part Two, Chapter V, Section 2, Subsection 2.2 (Medical Disability Leave).--Approval was given to amend the Regents' Rules and Regulations, Parts One and Two as set forth below:

- a. Part One, Chapter III, Section 16 regarding leaves of absence without pay was amended to read as follows:

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 period for which a leave of absence will be granted is the end of the fiscal year in which the leave begins. In the case of faculty, the date for return to duty will generally coincide with the beginning of the next semester, following the period of absence. In normal circumstances, leaves for up to one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements. The first period of leave of absence may

be approved, subject to the general conditions included herein, by the chief administrative officer. Requests for additional leave under this section must be submitted to the U. T. Board of Regents for approval.

- 16.3 Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity that reflects credit on the institution and enhances an individual's ability to make subsequent contributions to the institution, a second consecutive year of leave will not be granted.
- 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 duty of one year, the leave-of-absence privilege will be available.
- 16.6 Unless otherwise provided by or authorized pursuant to law, all accumulated paid leave entitlement must be exhausted before a leave of absence without pay may be granted, with the additional provision that sick leave must be exhausted in those cases where the employee is eligible to take sick leave.
- 16.7 Upon expiration of Family and Medical Leave pursuant to these Rules and Regulations, an employee may be eligible for a leave of absence under this section. For leave of absence to participate in a political campaign, faculty development leave, parental leave, sick leave, leave for jury duty, leave for military duty, and leave related to on-the-job injuries, see other sections of these Rules and Regulations.

b. Part Two, Chapter V, Section 2, Subsection 2.2 regarding medical disability leave was amended to read as follows:

2.2 Family and Medical Leave.

2.21 Any employee, whether faculty, classified, or administrative, may request and receive a leave of absence without pay for up to twelve weeks per year for family and medical reasons specified by the Family and Medical Leave Act of 1993 and accompanying regulations governing the Act, as set forth in approved institutional and System policies. Eligibility criteria are defined in the Act.

2.22 Upon expiration of the twelve weeks of leave taken pursuant to the Family and Medical Leave Act, an employee may be eligible for a leave of absence without pay pursuant to Part One, Chapter III, Section 16 of the Regents' Rules and Regulations.

The amendments to Part One concerning leaves of absence without pay are consistent with federal law and clarify the approval procedure for leaves without pay.

The federal Family and Medical Leave Act of 1993, which was enacted to be effective August 5, 1993, necessitates the amendments to Part Two of the Regents' Rules and Regulations.

EXCERPT FROM THE MINUTES

1.  
AUG 12 1993

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 25 (Textbooks and Other Materials Prescribed for the Use of Students).--Upon recommendation of the Health Affairs and Academic Affairs Committees, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 25, regarding textbooks and other materials prescribed for the use of students, to read as set forth below:

Sec. 25. Textbooks and Other Materials Prescribed for the Use of Students.

- 25.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:
- 25.11 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.
- 25.12 Although the authorship of books, outlines, manuals and similar materials by members of the faculty and staff should be encouraged, the prescribed use of these for students is a responsibility that goes beyond that of the individual author. Where practical and equitable, the charge for outlines, syllabi, and similar materials prescribed for the use of students should be borne by the department. Whenever an approved incidental fee includes a charge for such materials distributed through the classroom, the prices should be as low as possible, consistent with the payment of any required royalty to the author or authors.
- 25.2 To carry out this statement of policy the following procedures are prescribed:
- 25.21 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, and a statement of the reasons for

change shall be transmitted by the chairman of the department through the dean to the chief academic and administrative officers.

25.22

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 approved by the dean, chief academic officer and chief administrative officer, pursuant to policies included in the Institutional Handbook of Operating Procedures. At a minimum, these policies should provide for consultation with departmental faculty. An annual list of such approved materials shall be reported to System Administration via the appropriate Executive Vice Chancellor each August. The report shall indicate the proposed prices and profits, if any, and the authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.

These amendments are intended to allow flexibility in the institutional approval of faculty authored materials required or recommended for classroom use. Some components desire to require approval by departmental faculty committees and others do not.

EXCERPT FROM THE MINUTES

JUN 10 1993

- 2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Authorization to Amend Chapter VI, Section 12.--The Board, upon recommendation of the Academic Affairs and Health Affairs Committees, amended the Regents' Rules and Regulations, Part One, Chapter VI, Section 12 as set forth below:

- a. A new Section 12 was added to read as follows:

Sec. 12. Animals on Campus.--With the exception of certified support animals and animals involved in approved University activities, animals are not permitted in any university building. Animal(s) may be brought onto campus, other than in buildings, but should be appropriately restrained and/or contained. The owner shall be responsible for cleaning up after the animal.

- b. Present Section 12 was deleted in its entirety.

JUN 10 1993

- 1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Authorization to Amend Chapter VIII, Section 4, Subsection 4.(14) (Institutions and Entities Composing the System).--Pursuant to the passage by the 73rd Legislature of Senate Bill 374, signed by Governor Ann Richards on April 29, 1993, related to the closing of The University of Texas Speech and Hearing Institute at Houston, the Board amended the Regents' Rules and Regulations, Part One, Chapter VIII, Section 4, Subsection 4.(14) regarding the entities of The University of Texas Health Science Center at Houston to read as set forth below:

Sec. 4. Institutions and Entities Composing the System.

	<u>Full Title</u>	<u>Short Title</u>
4.(14)	The University of Texas Health Science Center at Houston	U.T. Health Science Center - Houston
4.(14)1	The University of Texas Medical School at Houston	U.T. Medical School - Houston
4.(14)2	The University of Texas Dental Branch at Houston	U.T. Dental Branch - Houston
4.(14)3	The University of Texas Graduate School of Biomedical Sciences at Houston	U.T. G.S.B.S. - Houston
4.(14)4	The University of Texas School of Allied Health Sciences at Houston	U.T. Allied Health Sciences School - Houston
4.(14)5	The University of Texas School of Public Health at Houston	U.T. Public Health School - Houston
4.(14)6	The University of Texas School of Nursing at Houston	U.T. Nursing School - Houston

The U. T. Speech and Hearing Institute - Houston was acquired in 1971 as a donation from a nonprofit corporation (Texas Institute for Rehabilitation and Research) pursuant to the provisions of Senate Bill 918. The Institute functioned in accordance with the statutory provisions until October 31, 1992, at which time the Institute was closed and the service delivery programs were transferred to the Houston School for the Deaf and the University of Houston Communication Sciences and Disorders Consortium where they are supported in part by United Way.

EXCERPT FROM THE MINUTES

JUN 10 1993

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 1, Subsection 1.8 (Academic Titles) and Section 6, Subsections 6.2 and 6.7 (Tenure, Promotion, and Termination of Employment).--Upon recommendation of the Academic Affairs and Health Affairs Committees, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 1, Subsection 1.8 (Academic Titles) and Section 6, Subsections 6.2 and 6.7 (Tenure, Promotion, and Termination of Employment) as set forth below:

- a. Section 1, Subsection 1.8 was amended to read as follows:

1.8 Academic Titles.

In order to achieve consistency in the use of academic titles among the component institutions of the System, the following subdivisions describe the use of titles to apply in all institutions.

- 1.81 Except for the title Regental Professor and, at U. T. Brownsville, the additional technical titles of Master Technical Instructor, Associate Master Technical Instructor, and Assistant Master Technical Instructor as authorized in the U. T. Brownsville Handbook of Operating Procedures for and in conjunction with associate degree and certificate programs for the educational partnership with Texas Southmost College, 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 be awarded tenure by virtue of appointment to one of the positions listed above in Subdivision 1.81, but not through the named chair or professorship or position designated by academic discipline.

- 1.83 The following academic titles may also be used within University of Texas System component institutions. Tenure cannot be awarded to a person appointed to these ranks and, with the exception of the ranks of Instructor and Technical Instructor,

academic service within these ranks cannot be counted toward the satisfaction of any required probationary period. Appointments to these titles shall be for a period of time not to exceed one academic year except in the case of Lecturer or Senior Lecturer when, in individual cases, appointment may be for periods of time not to exceed three academic years. With the exception of the titles of Instructor and Technical Instructor, such appointments shall terminate at the expiration of the stated period of appointment without the notification of nonrenewal required by Subsection 6.7 of this Chapter. If a component institution determines that it is to the benefit of the institution, it may offer reappointments to these titles.

- (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) Technical Instructor. This title denotes a probationary appointment as a member of the U. T. Brownsville faculty in associate degree or certificate programs for the educational partnership with Texas Southmost College. During the period of probationary appointment to this rank, the teaching performance and professional promise of the candidate will be evaluated.

- b. Present items remaining in Subdivision 1.83 [(b) through (i)] were renumbered as appropriate.
- c. Section 6, Subsection 6.2 was amended to read as follows:

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 or, at U. T. Brownsville, with the additional technical titles of Master Technical Instructor, Associate Master Technical Instructor, or Assistant Master Technical Instructor 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 M.D. Anderson Cancer Center.



Effective with the Fall Semester of 1988, The University of Texas of the Permian Basin is authorized to discontinue use of seven-year term appointments of faculty and to institute a tenure system. In accordance with Regents' Rules and Regulations, The University of Texas of the Permian Basin will develop new policies and procedures for tenure review of future faculty and faculty now employed on term appointments for inclusion in the institutional Handbook of Operating Procedures. No new term appointments are to be made, and current term appointments shall be renewed only for currently employed faculty who do not qualify for tenure appointment.

The University of Texas M.D. Anderson Cancer Center is 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 rank 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 M.D. Anderson Cancer Center.

- 6.21 Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and Instructor, or any combination thereof, or in the academic ranks of Master Technical Instructor, Associate Master Technical Instructor, Assistant Master Technical or Technical Instructor, or any combination thereof, shall be counted toward fulfillment of a required probationary period related to the award 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 Subdivision 6.21 shall not be more than seven years of full-time academic service at the general academic

institutions of the System and not more than nine years of full-time academic service at the health-related institutions of the System. 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 at the general academic institutions of the System and nine years at the health-related institutions of the System. 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 in any academic rank specified in Subdivision 6.21 is to be terminated prior to the end of the maximum probationary period, notice shall be given in accordance with Subsection 6.7 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 when in full compliance with Regental standards pertaining to minimum faculty work loads 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 shall 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.

6.26 A person appointed to a faculty position with the title of Instructor, Assistant Professor, Associate Professor, or Professor or with the title of Technical Instructor, Assistant Master Technical Instructor, Associate Master Technical Instructor or Master Technical Instructor at a component institution of the System may not, during the term of such appointment, hold a tenured position on the faculty of another educational institution outside the System.

6.261 Appointments within the System to the above specified titles shall be conditioned upon the appointee having resigned any tenured position that the appointee may then hold on the faculty of an educational institution outside the System. Such resignation must be completed and effective prior to the effective date of the appointment at the System component; otherwise, such appointment shall be void and of no effect.

6.262 The acceptance of an appointment to a tenured position on the faculty of an educational institution outside the System shall be considered as a resignation of any faculty position with the title of Instructor, Assistant Professor, Associate Professor, or Professor or with the title of Technical Instructor, Assistant Master Technical Instructor, Associate Master Technical Instructor or Master Technical Instructor that such appointee may hold at a System component.

d. Section 6, Subsection 6.7 was amended to read as follows:

6.7 In the event of decision not to reappoint a non-tenured faculty member in an academic rank specified in Subdivision 6.21, 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.

These amendments to the Regents' Rules and Regulations authorize new academic titles for those faculty members at The University of Texas at Brownsville who teach community college courses in associate degree and occupational training certification programs pursuant to the educational partnership agreement with Texas Southmost College. Specifically, the changes authorize a tenure track title of Technical Instructor (similar to the title of Instructor for current general academic faculty) and allow for faculty members in associate degree and occupational/technical programs to hold tenure in titles of Assistant Master Technical Instructor, Associate Master Technical Instructor, and Master Technical Instructor (comparable to Assistant Professor, Associate Professor, and Professor titles for general academic faculty).

EXCERPT FROM THE MINUTES

8.  
FEB 11 1993

U. T. Dallas: Establishment of an Internal Foundation for the School of Management; Approval to Amend the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3 (Internal Foundations) to Include the Management School Foundation; and Establishment of the Management School Foundation Advisory Council.--Upon recommendation of the Academic Affairs Committee, the Board:

- a. Approved the resolution set out on Page 44 establishing the Management School Foundation as an internal foundation to benefit the School of Management at The University of Texas at Dallas in accordance with the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3
- b. Authorized the Executive Secretary to the U. T. Board of Regents to add the Foundation to the list of approved internal foundations set out in the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3, Subdivision 4.33 (Internal Foundations)
- c. Established the Management School Foundation Advisory Council pursuant to the Regents' Rules and Regulations, Part One, Chapter VII, Section 3, with the understanding that nominees to the Management School Foundation Advisory Council will be submitted for approval at a future meeting.

The U. T. Dallas Management School Foundation (Foundation) was incorporated in 1980 as a privately incorporated nonprofit organization to solicit funds on behalf of the School of Management at U. T. Dallas. It is recognized that an internal foundation will provide enhanced visibility for the department and fund raising capabilities while providing consistent internal control over fund raising efforts. Mutual termination of the Foundation has been agreed to by the Foundation board members and the U. T. Dallas Administration, and the Foundation will be dissolved with assets transferred to U. T. Dallas in early 1993.

Resolution of the Board of Regents  
of The University of Texas System

WHEREAS, There exists a clear and specific need for means to finance the program of the School of Management of The University of Texas at Dallas, in addition to regular budgetary provisions; and

WHEREAS, It is the desire of interested persons to set up the facilities to encourage and assist in such financing;

IT IS NOW RESOLVED, That the Board of Regents of The University of Texas System hereby establishes the Management School Foundation of The University of Texas at Dallas.

AND FURTHER, That the purpose of said Foundation shall be to foster the understanding and development of programs of the School of Management of The University of Texas at Dallas and to encourage the making of gifts to the Foundation by deed, grant, will or otherwise for any purpose appropriate to the work of the Foundation.

AND FINALLY, That all donations to and assets of the Foundation shall be accepted and managed subject to the following conditions:

1. The unrestricted funds of the Foundation shall be devoted to the enrichment of the programs of the School of Management of The University of Texas at Dallas and such special funds as may be established from time to time and shall not be used for the ordinary operating expenses of the School of Management.
2. A donation to the Foundation may be made for a specific purpose as specified by the donor or may be given as unrestricted funds. Gifts which meet or exceed the minimum requirements of the Board of Regents may be presented for acceptance by the Board as permanently endowed funds for support of the School of Management of The University of Texas at Dallas.
3. The Board of Regents shall hold, manage, control, sell, exchange, lease, convey, mortgage or otherwise encumber, invest or reinvest, and generally shall have the power to dispose of in any manner and for any consideration and on any terms the said gifts, funds, or property in their discretion and shall from time to time pay out of the income, or if the income be insufficient, out of the principal, all expenses of the trust and all expenditures incurred in furthering the purposes of the trust.
4. Neither any donation to the Management School Foundation nor any fund or property arising therefrom in whatever form it may take shall ever be any part of the Permanent University Fund nor shall the Legislature have power to be in any way authorized to change the purposes thereof or to divert such donation, fund or property from those designated purposes.
5. As in the case of other University funds, authorization for expenditure of all funds from the Foundation shall be vested in the Board of Regents and recommendations for such expenditures shall be made by the President through the Executive Vice Chancellor for Academic Affairs to the Chancellor and by the Chancellor to the Board of Regents of The University of Texas System.

EXCERPT FROM THE MINUTES

DEC 03 1992

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter I, Section 8, Subsection 8.5, Subdivision 8.52 (Communications by and to the Board).--Chairman Beecherl called on Vice Chancellor and General Counsel Farabee to comment on the proposed amendments to the Regents' Rules and Regulations, Part One, Chapter I, Section 8 relating to the requirements for those who wish to appear before the Board.

Vice Chancellor Farabee reported that several months ago Regent Holmes requested The University of Texas System Administration to study state agencies and systems of higher education both in the State of Texas and nationally to determine their practice related to public comment periods. Mr. Farabee noted that he undertook that review and found that city councils and school boards frequently have public comment periods and that some state agencies, such as the Texas Department of Human Services and Texas Department of Health, have set aside time for public comments in their meetings. He pointed out that the Texas Department of Human Services limited these presentations to 3 - 5 minutes depending on the number of persons and time available and the Texas Department of Health limit was 5 - 10 minutes.

Mr. Farabee stated that he contacted several major university systems in the State of Texas (Texas A&M University, University of Houston, Texas State University, Lamar University, University of North Texas, and Texas Tech) as well as several of the larger state university systems in the United States (University of California, University of Wisconsin, University of North Carolina, and State University of New York) and was informed that none of those systems had public comment times specifically set aside at their Board meetings. He emphasized that Texas Southern University has a comment period of fifteen minutes at the end of each of its Board meetings but limited it to members of the university family, i.e., students and faculty.

It was pointed out by Mr. Farabee that the proposed amendments before the Board are intended to clarify the procedures for public presentations or comments upon matters on the agenda for consideration by the Board and make the request procedures more flexible by allowing requests to speak to be made six days before the meeting rather than ten days in advance as currently required. In addition, he noted that the proposed amendments require the potential speaker to identify the subject of his/her remarks, which must be directly related to a matter on the Board's agenda, recite the well established authority of the Board to regulate the time, place and manner of speech, and authorize potential sanctions for speakers violating the time, place or manner regulations.

Mr. Farabee emphasized that the proposed amendments do not, in any way, diminish the authority of the Chairman to grant permission for speakers to appear before the Board without adhering to the requirements or the ability of other members of the Board to request through the Chairman that an individual be permitted to appear before the Board.

In accordance therewith, the Board amended the Regents' Rules and Regulations, Part One, Chapter I, Section 8, Subsection 8.5, Subdivision 8.52 regarding communications by and to the Board to read as set forth below:

8.5 Communications by and to the Board.

8.52 Except upon invitation of the Board, the Chairman of the Board, the Chancellor, or the appropriate Executive Vice Chancellor, no person shall appear before the Board or any committee thereof unless that person files with the Executive Secretary to the Board a written request explaining the purpose of such appearance at least six 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. It is understood, however, that the chief administrative officer, or his or her delegate, and/or the president of the students' association, or his or her delegate, may appear without prior notice or request before the Board or any committee whenever the matter under consideration directly affects the component institution represented by such person. Persons requesting to appear must identify the subject of their remarks, which must be directly related to a matter on the Agenda for consideration by the Board. Whenever time and other circumstances permit, the person making the request shall first consult with the chief administrative officer, or his or her delegate, of such institution regarding the purpose of the appearance prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board shall provide a written statement of the substance of such person's presentation to the Board, and such written statement shall be delivered to the Executive Secretary to the Board in sufficient time for copies to be distributed to the Regents prior to the meeting. Any person appearing before the Board or a committee shall be subject to restrictions on time, place and manner as may be prescribed by the Chairman or a majority of the Board or by the Chairman or a majority of a committee. The Chairman or a majority of the Board may prescribe sanctions against any person exceeding established time, place or manner limits; disrupting a meeting of the Board or a committee of the Board; or violating any provision of the Regents' Rules and Regulations. Sanctions may include the refusal to allow such person to speak again to the Board or committees of the Board for up to one year.



EXCERPT FROM THE MINUTES

DEC 03 1992

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendments to Chapter II, Section 4 (Executive Vice Chancellor for Academic Affairs) and Section 13 (Chief Administrative Officers of Component Institutions).--Approval was given to amend the Regents' Rules and Regulations, Part One, Chapter II, Section 4 regarding the Executive Vice Chancellor for Academic Affairs and Section 13 regarding chief administrative officers of component institutions as follows:

- a. Subsection 4.2 of Section 4 was amended to read as set forth below:

4.2 Duties and Responsibilities.

The Executive Vice Chancellor for Academic Affairs shall have as a prime responsibility the maintenance of high academic quality in the general academic components of the System. Through the chief administrative officers of the component institutions, he or she shall have responsibility for the budgets, academic planning and programs, facilities planning and construction, and personnel (both academic and nonacademic) of those components. In consultation with the Chancellor, the Executive Vice Chancellor for Academic Affairs shall prepare recommendations and supporting information on such matters for consideration by the appropriate standing committees of the Board and the Board of Regents. The Board through its policies, procedures, and Rules and Regulations maintains its governance responsibilities and acknowledges the importance of maintaining accreditation for the general components and academic programs, as appropriate. Because of the complexity and diversity of the System, the Executive Vice Chancellor for Academic Affairs is delegated the responsibility for ensuring the governance requirements for accreditation not specifically covered elsewhere in these policies, procedures, and Rules and Regulations are met. The Executive Vice Chancellor for Academic Affairs will report the accreditation status to the Board on a periodic basis.

- b. Subsection 13.31(12) of Section 13 was amended to read as follows:

13.31(12) Develop and implement plans and policies to ensure that the institution remains in compliance with any accreditation requirements appropriate to the component or its programs, including, for the health components and those academic components with student health services, the accreditation of hospitals, clinics and patient-care facilities.

These amendments to the Regents' Rules and Regulations are to clearly detail the responsibility delegated to the Executive Vice Chancellor for Academic Affairs and to the chief administrative officers for ensuring appropriate accreditation requirements are met.