

THE UNIVERSITY OF TEXAS SYSTEM

OFFICE OF THE BOARD OF REGENTS
BOX N - AUSTIN, TEXAS 78713-7328 (512) 499-4402

MEMORANDUM

DATE May 15, 1986

TO: Pres. W. W. Brock

FROM: Arthur H. Dilly *AH*

SUBJECT: Regents' Rules and Regulations, Part One - Amendments

Please update your copy of the Regents' Rules and Regulations, Part One by destroying the pages listed in Column "A" and substituting in lieu thereof the pages listed in Column "B":

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page i	Page i
Pages II-9, II-11 through II-27	Pages II-9, II-11 through II-28
Pages III-3 through III-5	Pages III-3 through III-5

The amendments approved at the April 10-11, 1986 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AHD:mg

Enclosures

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Pages III-3 through III-5	Pages III-3 through III-5

The amendments approved at the April 10-11, 1986 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

Three copies of each of the revised pages are enclosed: one for your office, one for the Legislative Budget Board, and one for the Governor.

AHD:mg

Enclosures (3 sets)

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

Reissued as of September 1, 1982
(with Amendments to April 10, 1986)

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- 7.28 approving settlement or appeal of litigation. 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.
- 7.29 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.
- 7.2(10) Drafting all legislation that has been approved by the Board or requested by any System officer for submission to the Board for approval and providing legal counsel on pending legislation.
- 7.2(11) Identifying and evaluating administrative and functional problems and directing or recommending, as appropriate, courses of action for solution.
- 7.2(12) Representing the System before legal, educational and governmental groups and associations.
- 7.2(13) Acting as administrator of the System Plan for Professional Medical Malpractice Self-Insurance and the System Intellectual Property Offices.
- 7.2(14) Working in cooperation with the Attorney General of the State of Texas, State Agency legal counsel and outside counsel.
- 7.2(15) Assuming responsibility for any other legal, administrative or operational matters delegated by the Office of the Chancellor.

7.3 Duties of the Executive Director (Office of the Chancellor).

The Executive Director (Office of the Chancellor) is the chief staff assistant in the Office of the Chancellor and as assigned or requested assists the Chancellor and the Executive Vice Chancellors in administration of the Office of the Chancellor. The holder of this position serves simultaneously as Executive Assistant to the Chancellor. Specific duties include the following:

- 7.31 Facilitating routine communication and coordinating paper flow among the Chancellor and the Executive Vice Chancellors.
- 7.32 Providing day-to-day liaison for the Office of the Chancellor with the Office of the Board of Regents.

- 7.47 and assisting when needed in the preparation of grant proposals and their presentation. Administering procedures for the preparation of gift records, gift processing, gift acknowledgments, and gift docketts for the Board.
- 7.48 Performing such other duties and responsibilities as may be assigned by the Office of the Chancellor.

Sec. 8. Certain Offices Reporting Directly to the Chancellor.

- 8.1 Duties of the Vice Chancellor for Governmental Relations.
Working under established procedures that insure effective coordination with the Executive Vice Chancellors, the Vice Chancellor for Governmental Relations reports to the Chancellor. His primary responsibilities include:
- 8.11 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 8.12 Representing the System in its relations with federal, state, and local legislative bodies and agencies.
- 8.13 Making recommendations to the Office of the Chancellor in the area of public policy as it affects the relationship of the System with the federal, state, and local governments.
- 8.14 Informing appropriate administrative officers of current operations and long-range developments on the federal and state level, which may affect the System.
- 8.15 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, state, and local governmental programs and activities.
- 8.16 Defining the job responsibilities, the assignment of duties, and supervising staff members employed in or assigned to work in the governmental affairs area.
- 8.17 Performing such other duties and responsibilities for the efficient operation of the System as shall be assigned by the Chancellor.
- 8.2 Audit.
The Chancellor, as Chief Executive Officer of the System, is responsible for insuring the implementation of appropriate audit and postaudit procedures for the

System and System Administration. Accordingly, with regard to his audit functions (see Section 10 of this Chapter), the Comptroller reports directly to the Chancellor.

- 8.3 Duties of the Director of Public Affairs. Working under established procedures that insure effective coordination with the Executive Vice Chancellors, and the Vice Chancellors, the Director of Public Affairs reports to the Chancellor. His primary responsibilities include:
- 8.31 The provision of staff assistance to the Chancellor, the Executive Vice Chancellors, and the Vice Chancellors in the execution of their responsibilities.
 - 8.32 Communicating the activities of the Board and System Administration.
 - 8.33 Coordinating news releases and other public information emanating from the component institutions, which releases and information involve the Board and System Administration.
 - 8.34 Developing a format for the presentation of information about System institutions and activities to the general public.
 - 8.35 Making recommendations to the Chancellor and the appropriate Executive Vice Chancellor regarding budget requests and staffing requirements for the public information services of the component institutions.
 - 8.36 Defining the job responsibilities, the assignment of duties, and supervising staff members employed in or assigned to work in the area of Public Information.
 - 8.37 Performing such other duties and responsibilities for the efficient operation of the System as shall be assigned by the Chancellor.

Sec. 9. Asset Management.

9.1 Lands Management.

9.11 The Executive Vice Chancellor for Asset Management provides direction and management for all transactions relative to Permanent University Fund lands (hereinafter sometimes referred to as "University Lands"), trust lands, and other noncampus real estate interests owned or controlled by the Board of Regents. In the exercise of those responsibilities, he:

- 9.111 Works closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 9.112 Works closely with the chief administrative officer of a component institution of the System and his delegates with regard to the management of trust lands and other noncampus real estate interests held by the Board of Regents for and on behalf of a particular institution.
- 9.113 Establishes procedures that insure effective coordination with the Executive Director for Investments and Trusts with regard to the management of trust lands other than University Lands.
- 9.114 Directs and manages the operation of the following budgeted activities which are part of the Office of Lands Management:
- Board for Lease - University Lands;
 - University Lands - Oil, Gas, and Mineral Interests;
 - University Lands Accounting Office;
 - University Lands - Surface Interests (Oil Field Supervision);
 - and
 - University Lands - Surface Interests (Leasing and Agricultural Projects).

- 9.12 Manager of University Lands - Oil, Gas, and Mineral Interests.
Subject to delegation by the Executive Vice Chancellor for Asset Management, 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 the Executive Vice Chancellor for Asset Management, the Manager's regular duties include:
- 9.121 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.
- 9.122 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him.
- 9.123 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 Executive Vice Chancellor for Asset Management and the Board for Lease of University Lands.
- 9.124 Reporting regularly to the Executive Vice Chancellor for Asset Management and the Board for Lease of University Lands all activities, developments and problems which could significantly affect System interests and University Lands, together with his recommendations with respect thereto.
- 9.125 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.

- 9.126 Coordinating with the Manager of University Lands - Surface Interests in the discharge of their respective duties and responsibilities.
- 9.13 Manager of University Lands - Surface Interests.
Subject to delegation by the Executive Vice Chancellor for Asset Management, 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 the Executive Vice Chancellor for Asset Management, the Manager's regular duties include:
- 9.131 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.
- 9.132 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him.
- 9.133 Reviewing periodically the terms and conditions of forms and transactions involving surface interests in University Lands, and making recommendations with respect thereto to the Executive Vice Chancellor for Asset Management.
- 9.134 Reporting regularly to the Executive Vice Chancellor for Asset Management all activities, developments and problems which could significantly affect System interests in University Lands, together with his recommendations with respect thereto.
- 9.135 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.
- 9.136 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.

9.2

Investments and Trusts.

Subject to delegation by the Executive Vice Chancellor for Asset Management, the Executive Director for Investments and Trusts implements, when they are approved by the Board, policies and actions with respect to:

9.21 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.

9.22 Issuing, managing and paying all bonds and other evidences of indebtedness issued by the Board for System and its component institutions.

9.23 Presenting to the Board through the Office of 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.

9.24 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.

Sec. 10. 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 Executive Director for Finance and Administration, the major duties of the Budget Director include:

10.1 Formulating procedures governing the preparation and review of all budgets and developing effective methods of presenting approved budgets to appropriate agencies.

10.2 Recommending procedures to be followed, including format, schedules of budget preparation, and effective review of budgets.

10.3 Preparing budget-writing instructions.

- 10.4 Conducting budget and other related research studies.
- 10.5 Planning systems and procedures for budgetary control and financial reporting.
- 10.6 Controlling and supervising distribution of all budgets and processing and approving (as delegated) interim budget changes.
- 10.7 Preparing periodic budgetary, financial, and special reports, as appropriate.
- 10.8 Serving as liaison with the staff of the Legislative Budget Board, the Governor's Budget and Planning Office, and the Coordinating Board, Texas College and University System.

Sec. 11. Comptroller.

- 11.1 Subject to delegation by the Executive Director for Finance and Administration (provided, however, that, in the audit functions, the Comptroller shall report directly to the Chancellor), the Comptroller formulates and recommends procedures to be followed in the business operations of the System for:
 - 11.11 Accounting, auditing and reporting, and expenditure control.
 - 11.12 Receipt, disbursement, and custody of funds.
 - 11.13 Procurement and purchasing.
 - 11.14 Management of auxiliary service enterprises.
 - 11.15 Data processing systems - including prior approval of equipment acquisitions by purchase or lease.
 - 11.16 Accounting and business system development.
 - 11.17 Accounting records, forms, procedures, and financial reports, including format for such reports.
 - 11.18 Terms of depository agreements with banks.
 - 11.19 Lease contracts for building space.
 - 11.1(10) Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
 - 11.1(11) Conducting postaudits at each component institution.
 - 11.1(12) Supervising the auditing of oil and gas production.
- 11.2 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.

Sec. 12. Director of Accounting.

- 12.1 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. Subject to delegation by the Executive Director for Finance and Administration, his duties include:
- 12.11 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.
- 12.12 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.
- 12.13 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 contracted with such accounts of the component institutions).
- 12.2 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.

Sec. 13. Director of Facilities Planning and Construction.

The Director of Facilities Planning and Construction reports to the Office of the Chancellor under the day-to-day supervision of the Chancellor. His primary duties and responsibilities include:

- 13.1 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 13.2 Managing the administration and general supervision of any new building construction and initial equipping thereof or any inside or outside repairs, remodeling, rehabilitation, new construction of improvements other than building, or campus planning costing \$100,000 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.

- 13.3 Serving as ex officio member of all faculty building committees at the component institutions.
- 13.4 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.
- 13.5 Coordinating the preparation of and approving of all grant applications on approved construction projects filed with governmental agencies.
- 13.6 Coordinating the development of and maintaining of master plans for all component institutions, including but not limited to land utilization, utility and landscape plans.
- 13.7 Developing standards for maintenance of all physical facilities at component institutions.
- 13.8 Directing the negotiation and approval of all utility contracts.

Sec. 14. System Personnel Director.

The System Personnel Director's primary responsibility is to plan, develop, and coordinate System-wide personnel policies and procedures. Subject to delegation by the Executive Director for Finance and Administration, the System Personnel Director is responsible for:

- 14.1 Acting as liaison between component institution personnel officers and the System officers regarding all personnel matters relating to classified personnel, administrative staff, and certain matters relating to teaching and/or academic personnel.
- 14.2 Advising the System officers and making recommendations concerning development of methods and procedures designed to maximize the effectiveness of System Personnel Programs.
- 14.3 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.

- 14.4 Reviewing and recommending the Personnel Office budgets for each component institution.
- 14.5 Directing the administration of the System Personnel Office, including the Workmen's Compensation Insurance section.
- 14.6 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.
- 14.7 Establishing employee development and training programs for all component institutions, including particularly supervisory training programs.
- 14.8 Formulating policies and procedures concerning labor relations and employer-employee relationships.
- 14.9 Assisting and establishing personnel data systems and proper practices and procedures concerning the personnel records of all employees.
- 14. (10) Conducting System-wide wage and salary research studies and formulating data for proper implementation of personnel pay programs.
- 14. (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.

Sec. 15. Director of Police.

Subject to delegation by the Executive Director for Finance and Administration, the Director of Police is responsible for:

- 15.1 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.
- 15.2 Approving the organizational structure for police departments at the component institutions of the System.
- 15.3 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.

- 15.4 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.
- 15.5 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.
- 15.6 Establishing a uniform reporting and record system for police departments at the component institutions of the System and approving any changes thereto.
- 15.7 Conducting periodic inspection of the police departments of the component institutions of the System and evaluating their performance as police agencies.
- 15.8 Formulating and establishing policies and procedures for police operations on a System-wide basis.
- 15.9 Establishing, maintaining, and supervising on a System-wide basis, a program for police personnel promotion.
- 15.(10) Reviewing and recommending the pay scale for police personnel throughout the System.
- 15.(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.
- 15.(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.
- 15.(13) Coordinating the use of police throughout the System in emergency situations.
- 15.(14) Submitting periodic reports to the Executive Director for Finance and Administration concerning the operations of the police departments of the System.

Sec. 16. Councils of the System.

16.1 The System Council.

The System Council is composed of the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Asset Management, the Executive Director for Finance and Administration, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive Director (Office of the Chancellor), the Director of Development, the Director of Public Affairs, and the chief administrative officers of all the component institutions of The University of Texas System. The Chancellor shall serve as the Council's permanent chairman and shall conduct regular meetings to discuss those matters of general concern to the operation of The University of Texas System.

16.2 The Council of Academic Institutions.

The Council of Academic Institutions is composed of the Executive Vice Chancellor for Academic Affairs, the chief administrative officers of the general academic institutions of the System, and the chief administrative officer of the U. T. Institute of Texan Cultures. The Chancellor, the Executive Vice Chancellor for Asset Management, the Executive Director for Finance and Administration, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive Director (Office of the Chancellor), the Director of Development, and the Director of Public Affairs serve as ex officio members of this Council. The Executive Vice Chancellor for Academic Affairs 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.

16.3 The Council of Health Institutions.

The Council of Health Institutions is composed of the Executive Vice Chancellor for Health Affairs and the chief administrative officers of the component institutions of the System concerned directly with health affairs. The Chancellor, the Executive Vice Chancellor for Asset Management, the Executive Director for Finance and Administration, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive Director (Office of the Chancellor), the Director of Development, and the Director of Public Affairs serve as ex officio members of this Council. The Executive Vice Chancellor for

Health Affairs 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.

16.4 The Business Management Council.

The Business Management Council advises the Office of 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 Executive Director for Finance and Administration and the chief business officers of the component institutions. The Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Asset Management, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive Director (Office of the Chancellor), the Director of Development, and the Director of Public Affairs, or their delegates, serve as ex officio members of this Council. The Executive Director for Finance and Administration shall serve as the Council's permanent chairman and shall conduct regular meetings of the Council.

(Sec. 17. Chief Administrative Officers of Component Institutions.

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

17.11 When there is a vacancy or 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 shall be established to recommend candidates to the Board. The Executive Vice Chancellor having line responsibility for the operation of the institution where the vacancy has occurred or is to occur shall be chairman of the Advisory Committee. In addition to the chairman, committee membership is as follows:

The Chancellor;
Three Chief Administrative Officers;

(to be appointed by the Chairman of the Board from three of the component 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; (if institution does not have an active alumni organization, then an alumnus of the component selected by the Chairman of the Board of Regents)

Not more than three representatives of the component's external constituency who have demonstrated a deep interest in and support of the institution, its programs and its role in community activities to be appointed by the Chairman of the Board of Regents.

17.12 When there is a vacancy or 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 Executive Vice Chancellor having line responsibility for the institution, subject to approval of the Chairman of the Board. The Executive Vice Chancellor having such line responsibility shall be Chairman of the Committee.

- 17.13 The Advisory Committee shall set up selection criteria that relate to the needs of the individual component, initiate mechanisms to develop an appropriate candidate pool, seek information on the several candidates and inquire from competent sources as to the candidates' academic, administrative and business ability. The Committee may also interview candidates as a part of its selection process keeping in mind that the confidentiality of the process is important to its ultimate success.
- 17.14 Finally, the Advisory Committee shall submit, through its Chairman, a recommended list of not less than five or more than ten candidates with no preference indicated. Candidates submitted shall have received a majority vote of the Committee. The recommended list should be developed and submitted without regard to the Advisory Committee's assessment of the potential availability of any candidate. 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.
- 17.2 Each chief administrative officer reports to and is responsible to the Executive Vice Chancellor having line responsibility for the institution, and serves without fixed term, subject to the pleasure of the appropriate Executive Vice Chancellor and approval by the Board.
- 17.3 Within the policies and regulations of the Board, and under the supervision and direction of the Executive Vice Chancellor having line responsibility for the institution, the chief administrative officer has general authority and responsibility for the administration of that institution.

- 17.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:
- 17.311 Develop and administer plans and policies for the program, organization, and operation of the institution.
 - 17.312 Interpret the System policy to the staff, and interpret the institution's program and needs to the Office of the Chancellor and to the public.
 - 17.313 Develop and administer policies relating to students, and where applicable, to the proper management of services to patients.
 - 17.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
 - 17.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.
 - 17.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.
 - 17.317 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.
 - 17.318 Appoint, or establish procedures for the appointment of, all faculty, staff, and student committees.
 - 17.319 Cause to be prepared and submitted to the Office of the Chancellor the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the

Office of the Chancellor, they shall thereafter constitute the Handbook of Operating Procedures for that institution. Provided, however, that whether or not finally approved by the Office of 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 Office of 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.

- 17.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 17.31(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. 18. Appointment of Other Administrative Officers.

- 18.1 The Board delegates to the Executive Vice Chancellor having line responsibility for the institution and that Executive Vice Chancellor, in turn, 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 appropriate Executive Vice 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 Executive Vice Chancellor.

- 18.2 The Board delegates to the Executive Vice Chancellor having line responsibility for the institution and that Executive Vice Chancellor, in turn, 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.
- 18.3 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.

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, and, with the exception of the title of 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 of the Regents' Rules and Regulations. 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) Lecturer. This title may be used for individuals who will serve as teachers and whose experience and qualifications are comparable to those of faculty members in untenured, tenure-track positions.
- (c) Senior Lecturer. This title may be used for special teachers who will augment and complement regular teaching faculty and whose experience and qualifications are comparable to those of faculty members in tenure positions.
- (d) 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

(4) Instructor in Clinical

(title of specialty)

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

(1) Professor of

(title of specialty)

(2) Associate Professor of

(title of specialty)

(3) Assistant Professor of

(title of specialty)

(4) Instructor in

(title of specialty)

For persons appointed to positions pursuant to this Subsection, all appointment letters, personnel forms, budgets and other official documents of the health component shall state in parenthesis following the name and title of the individual either "(nontenured clinical appointment)" or "(nontenured research appointment)," as appropriate, and service in such positions shall not be credited as faculty service toward satisfaction of a required probationary period for the award of tenure.

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

THE UNIVERSITY OF TEXAS SYSTEM

OFFICE OF THE BOARD OF REGENTS
BOX N - AUSTIN, TEXAS 78713-7328 (512) 499-4402

MEMORANDUM

DATE December 10, 1985

TO: Distributed to Those on Attached List

FROM: Arthur H. Dilly *AH*

SUBJECT: Regents' Rules and Regulations, Part One - Amendments

Please update your copy of the Regents' Rules and Regulations, Part One by destroying the pages listed in Column "A" and substituting in lieu thereof the pages listed in Column "B":

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Pages i and ii	Pages i and ii
Pages I-16 through I-24	Pages I-16 through I-25
Pages II-23 through II-26	Pages II-23 through II-27
Pages III-11, III-13 through III-42	Pages III-11, III-13 through III-43
Page VI-17	Page VI-17

The amendments approved at the October 10-11, 1985 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AHD:mg

Enclosures

THE UNIVERSITY OF TEXAS SYSTEM

OFFICE OF THE BOARD OF REGENTS
BOX N - AUSTIN, TEXAS 78713-7328 (512) 499-4402

MEMORANDUM

DATE December 10, 1985

TO: Dr. Kenneth H. Ashworth
FROM: Arthur H. Dilly *AH*
SUBJECT: Regents' Rules and Regulations, Part One - Amendments

Please update your copy of the Regents' Rules and Regulations, Part One by destroying the pages listed in Column "A" and substituting in lieu thereof the pages listed in Column "B":

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Pages i and ii	Pages i and ii
Pages I-16 through I-24	Pages I-16 through I-25
Pages II-23 through II-26	Pages II-23 through II-27
Pages III-11, III-13 through III-42	Pages III-11, III-13 through III-43
Page VI-17	Page VI-17

The amendments approved at the October 10-11, 1985 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

Three copies of each of the revised pages are enclosed: one for your office, one for the Legislative Budget Board, and one for the Governor.

AHD:mg
Enclosures (3 sets)

March 1985

Distribution List of Official Copies of
Regents' Rules and Regulations

Board of Regents & Office of Board of Regents	12
Executive Associate for Economic Affairs	1
Coordinating Board, Texas College and University System	1
Legislative Budget Board	1
Office of the Governor	1
Publications Clearing House	1
State Auditor & U. T. Austin Representative	2
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System Administration	10
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Asset Management	
Executive Assistant to the Chancellor	
Executive Director for Finance and Administration	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Special Counsel - Finance	
Chief Administrative Officers, Component Institutions	14
Vice Chancellor for Budgets & Human Resources, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	45

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

Reissued as of September 1, 1982
(with Amendments to October 10, 1985)

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7.196 Counsel with the Office of the Chancellor and recommend Board action with respect to any recommendations by the Chancellor related to the appointment, promotion, and dismissal of such System officers as are responsible for managing the lands and investments of the System or any component thereof.

7.2 Board for Lease of University Lands.--Pursuant to Section 66.62, Texas Education Code, two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve with one member of the Board of Regents of The Texas A&M University System selected by the Board of Regents of that System and the Commissioner of the General Land Office on the Board for Lease of University Lands, an agency of the State of Texas. A regent member may not be directly or indirectly employed by, or be an officer of or an attorney for, an oil or gas company. An officer, employee, or paid consultant of a trade association in the oil and gas industry may not be a member or employee of the Board, nor may a person who cohabits with or is the spouse of an officer, managerial employee, or paid consultant of a trade association in the oil and gas industry be a member of the Board or employee of the Board Grade 17 or over, including exempt employees, according to the position classification schedule under the General Appropriations Act. A person who is required to register as a lobbyist under Chapter 422, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9c, Vernon's Texas Civil Statutes), by virtue of his activities for compensation in or on behalf of a profession related to the operation of the Board, may not serve as a member of the Board or act as the general counsel to the Board. With the knowledge and direction of the Chancellor, the Board for Lease shall receive the assistance and cooperation of the Offices of Asset Management, Finance and Administration, and General Counsel.

- 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 Consideration of items referred directly to the Board.
 - 8.23 Consideration of approval of items contained in reports of standing committees.
 - (a) Executive Committee
 - (b) Finance and Audit Committee
 - (c) Academic Affairs Committee
 - (d) Health Affairs Committee
 - (e) Buildings and Grounds Committee
 - (f) Land and Investment Committee
 - 8.24 Special Items:
 - (a) Office of the Chancellor
 - (b) Chief administrative officers of the component institutions
 - (c) Members of the Board
 - 8.25 Reports of special committees.
 - 8.26 Executive Session 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 Matters to be Referred to Committees.--The Chairman of the Board in consultation with the Executive Secretary to the Board and appropriate committee

chairmen shall make appropriate referrals to standing committees. On all matters for the consideration of the Board originating in the Office of the Chancellor, the Office of the Chancellor shall include a recommendation as to the standing committee to which the matter should be referred. Insofar as it is practicable, all subjects and matters requiring Board action shall be referred to the appropriate standing committee for consideration and recommendation before action is taken thereon by the Board.

8.5

Communications by and to the Board.

8.51 Members of the Board of Regents are to be permitted access to such personnel and information as in their individual judgements will enable them to fulfill their duties and responsibilities as Regents of The University of Texas System. It is the responsibility of each Regent to be knowledgeable in some detail regarding the operations, management, finances, and effectiveness of the academic, research, and public service programs of The University of Texas System, and members of the Board have the right and authority to inform themselves as to their duties, responsibilities and obligations in such a manner as they may deem proper. The regular channel of communication from members of the Board to the faculty, staff and administration is through the Office of 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 Office of the Chancellor and the chief administrative officer of the institution involved; however, individual Board members are not precluded when they deem it necessary and proper from direct participation and communication with the

chief administrative officers, representatives, and personnel of The University of Texas System Administration and its component institutions, faculty members and other groups. All staff and faculty proposals that are to be acted upon by the Regents shall be presented to the Office of the Chancellor in sufficient time to permit that office to consider such proposals, make recommendations thereon, and transmit them to the Executive 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 Executive 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 Office of the Chancellor, no person shall appear before the Board or any committee thereof unless he shall file with the Executive 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 Executive 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 Board. Copies of all official communications from administrative officers to the Regents shall be sent to the Executive Secretary. Communications from the Office of the Chancellor shall be exempt from this requirement but in such cases information copies shall be furnished to the Executive Secretary.

8.54 A docket, to be entitled "Docket No. ___ of the Office 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 Office of 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 Office of the Chancellor shall be distributed by the Executive 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 appropriate standing committee for consideration at the first regular meeting of the Board following action of the item by the appropriate standing committee.

8.55

Except for communications from the Office of the Chancellor and the Executive 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 Office of the Chancellor. A copy of any communication sent directly to a Board member should be furnished to the Office of the Chancellor and to the chief administrative officer of the institution involved. 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 the Office of 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 each member of the Board or to each member of the appropriate standing committee of the Board and the Office of 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 Office 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 Office of the Chancellor shall state whether or not they are fully concurred in by any chief administrative officer involved, and if not, the views and recommendations of the chief administrative officer 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.

- 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. These press reports shall be under the direction of the Chairman of the Board, the Chancellor or their designated representative.

- 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 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. He shall have such other duties and responsibilities as may be directed by the Board.

Sec. 10 Signature Authority for Documents Executed on Behalf of the Board.

- 10.1 Except as may be otherwise provided in these Rules and Regulations or in the resolution or order of the Board with respect to the approval of a specific document or with respect to the approval of a program or project requiring the execution of one or more documents, the Chairman of the Board, the Designated Vice-Chairman of the Board, the Chancellor, or the appropriate Executive Vice Chancellor may sign on behalf of the Board:
- 10.11 all contracts, agreements, leases, bonds, licenses, or permits and all amendments, extensions or renewals of same that have been approved, authorized or granted by the Board as an item on the Agenda of the Board at a regular or special meeting;
- 10.12 applications for permits or licenses to be issued to the Board or a component institution that have been approved or authorized by the Board;
- 10.13 renewals of permits or licenses issued to the Board or a component institution that are renewable without change in the terms or conditions thereof where the original application for such permit or license was made pursuant to the approval or authorization of the Board and such approval or authorization has not been withdrawn.
- 10.2 The provisions of this Section shall not apply to documents submitted for the review and approval of the Board pursuant to the provisions of Subsection 8.54 of Section 8, Chapter I, Part One of these Rules and Regulations.

- 10.3 All documents executed on behalf of the Board pursuant to this Section other than renewals of permits or licenses executed pursuant to Section 10.13, shall have affixed thereto a certification by the Executive Secretary to the Board attesting to the action of the Board approving such document and setting forth the date of such approval.

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; (if institution does not have an active alumni organization, then an alumnus of the component selected by the Chairman of the Board of Regents)

Not more than three representatives of the component's external constituency who have demonstrated a deep interest in and support of the institution, its programs and its role in community activities to be appointed by the Chairman of the Board of Regents.

17.12 When there is a vacancy or 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 Executive Vice Chancellor having line responsibility for the institution, subject to approval of the Chairman of the Board. The Executive Vice Chancellor having such line responsibility shall be Chairman of the Committee.

- 17.13 The Advisory Committee shall set up selection criteria that relate to the needs of the individual component, initiate mechanisms to develop an appropriate candidate pool, seek information on the several candidates and inquire from competent sources as to the candidates' academic, administrative and business ability. The Committee may also interview candidates as a part of its selection process keeping in mind that the confidentiality of the process is important to its ultimate success.
- 17.14 Finally, the Advisory Committee shall submit, through its Chairman, a recommended list of not less than five or more than ten candidates with no preference indicated. Candidates submitted shall have received a majority vote of the Committee. The recommended list should be developed and submitted without regard to the Advisory Committee's assessment of the potential availability of any candidate. 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.
- 17.2 Each chief administrative officer reports to and is responsible to the Executive Vice Chancellor having line responsibility for the institution, and serves without fixed term, subject to the pleasure of the appropriate Executive Vice Chancellor and approval by the Board.
- 17.3 Within the policies and regulations of the Board, and under the supervision and direction of the Executive Vice Chancellor having line responsibility for the institution, the chief administrative officer has general authority and responsibility for the administration of that institution.

- 17.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:
- 17.311 Develop and administer plans and policies for the program, organization, and operation of the institution.
 - 17.312 Interpret the System policy to the staff, and interpret the institution's program and needs to the Office of the Chancellor and to the public.
 - 17.313 Develop and administer policies relating to students, and where applicable, to the proper management of services to patients.
 - 17.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
 - 17.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.
 - 17.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.
 - 17.317 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.
 - 17.318 Appoint, or establish procedures for the appointment of, all faculty, staff, and student committees.
 - 17.319 Cause to be prepared and submitted to the Office of the Chancellor the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the

Office of the Chancellor, they shall thereafter constitute the Handbook of Operating Procedures for that institution. Provided, however, that whether or not finally approved by the Office of 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 Office of 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.

17.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.

17.31(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. 18. Appointment of Other Administrative Officers.

18.1 The Board delegates to the Executive Vice Chancellor having line responsibility for the institution and that Executive Vice Chancellor, in turn, 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 appropriate Executive Vice 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 Executive Vice Chancellor.

18.2 The Board delegates to the Executive Vice Chancellor having line responsibility for the institution and that Executive Vice Chancellor, in turn, 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.

18.3 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.

- 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 one (1) year 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.
- 5.22 Those persons related within the prohibited degrees are indicated on the charts displayed in this Section as Table 1.
- 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 If the appointment, reappointment, or promotion of a person places him or her in an administrative or supervisory position with responsibility to approve, recommend or otherwise act with regard to the appointment, promotion, or salary of a person who is related to them within the degree prohibited by Article 5996a, all subsequent actions regarding the reappointment, promotion, or salary of such person shall be made by the next highest administrator or supervisor at the component institution or The University of Texas System.
- 5.33 It shall be the responsibility of the administrator or supervisor acting pursuant to Section 5.31 or 5.32 to make a written review of the work performance of such person at least annually and to submit such review to the next highest administrator or supervisor at the component institution or The University of Texas System.
- 5.34 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.
- 5.35 All situations covered by Section 5.31 shall be reported annually through the institution's docket or with the annual operating budget.

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 at the general academic institutions of the System and not more than nine years of full-time academic service at the health science centers 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 science centers 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 is to be terminated prior to the end of the maximum probationary period, notice shall be given in accordance with Section 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 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.

6.26 A person appointed to a faculty position with the title of Instructor, Assistant Professor, Associate Professor, or Professor 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 that such appointee may hold at a System component.

- 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 as is otherwise provided in Subsection 6.26, or 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 A chief administrative officer 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 chief administrative officer 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 institutional representatives 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 chief administrative officer 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, by a majority of the total membership, will approve, reject, or amend such findings, recommendations, and suggestions, if any, or will recommit the report to the same 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.

6.35 Nontenured faculty members who are notified in accordance with Section 6.7 that they will not be reappointed or who are notified in accordance with Section 6.23, 6.7, or 6.8 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, 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.
- 6.5 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.
- 6.6 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.

- 6.7 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.
- 6.8 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.
- 6.9 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, 6.7 or 6.8 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 Section 6.23, 6.7 or 6.8 or in the manner prescribed in Section 6.(11). Should it occur that no notice is received by the time prescribed in Section 6.23, 6.7 or 6.8, 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.(10) 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 Section 6.23, 6.7, or 6.8 shall be sent by certified mail, return receipt requested, to the last address given by the faculty member.
- 6.(11) 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.
- 6.(12) The chief administrative officer of a component institution has the responsibility for determining when it shall be necessary to reduce academic positions, the titles of which are given in Subsection 1.8 of this Chapter, or academic programs or both, subject to approval by the appropriate Executive Vice Chancellor of The University of Texas System. When such reductions are necessary as a result of financial exigency, the procedure for the selection and notification of those academic positions that are to be terminated shall be governed by this Section, and neither the procedures specified in Subsection 6.3 of this Chapter nor the notice requirements of Subsections 6.23, 6.7, and 6.8 of this Chapter shall be applicable.

- 6.(12)1 Upon determining the existence of a financial exigency and the need to reduce academic positions or academic programs, or both, the chief administrative officer shall appoint a committee composed of faculty and administrative personnel to make recommendations to the chief administrative officer as to which academic positions and/or academic programs should be eliminated as a result of the financial exigency.
- 6.(12)2 The committee will review and assess the academic programs of the institution and identify those academic positions that may be eliminated with minimum effect upon the degree programs that should be continued. The review will include, but not be limited to, an examination of the course offerings, degree programs, supporting degree programs, teaching specialties, and semester credit hour production.
- 6.(12)3 Upon determining that one or more academic positions in a degree program or teaching specialty should be eliminated, the committee will recommend the particular position or positions to be terminated by reviewing the academic qualifications and talents of holders of all academic positions in those degree programs or teaching specialties, the needs of the program they serve, past academic performance, and the potential for future contributions to the development of the institution. Tenure status of a faculty member shall not be a consideration in the determination of whether a particular position should be eliminated except as permitted in Sub-section 6.(12)4.
- 6.(12)4 If, in the opinion of the committee, two or more faculty members are equally qualified and capable of performing a particular teaching role, the faculty member or members having tenure shall be given preference over nontenured faculty. However, if such faculty have the same tenure status, consideration

- will be given to the need of the institution for capabilities for teaching in multiple disciplines, and the faculty member or members qualified by training and experience to teach in more than one discipline or area of specialization will be given preference over a faculty member or members qualified to teach in only one discipline or area of specialization. In other instances, length of service as a member of the faculty at the institution shall be the determining factor.
6. (12) 5 Upon completion of its review, the committee shall promptly recommend to the chief administrative officer those persons who may be terminated, ranked in order of priority, with the reasons for their selection. The chief administrative officer shall, with such consultation with institutional administrative officers as he or she may deem appropriate, determine which academic positions are to be terminated because of the financial exigency and shall give the holders of these positions written notice of the decision.
6. (12) 6 Any person terminated due to financial exigency will be notified when a vacancy occurs in the same component institution in his or her field of teaching within the next two (2) academic years following the termination. If such person makes timely application and is qualified for the position to be filled, he or she shall be offered employment in that position. If the vacancy is in a field of teaching in which two or more persons have been terminated because of financial exigency, all will be notified of the vacancy and of those so notified and making timely application, employment will be offered to the person who is the better qualified for the position to be filled.

6. (12) 7 The chief administrative officer shall appoint a hearing committee to hear any appeals for reconsideration of termination decisions based upon financial exigency. Within thirty (30) days from the date of the notice of termination, a person shall have the right to appeal to the hearing committee for reconsideration of the termination decision. The appeal for reconsideration shall be in writing and addressed to the chief administrative officer of the institution. A person to be terminated who appeals to the hearing committee shall be given a reasonably adequate written statement of the basis for the initial decision to reduce academic positions and, upon request of the person, shall be given any written data or information relied upon in arriving at such decision.
6. (12) 8 The hearing committee shall set the date, time, and place for hearing the appeal for reconsideration. Such hearing shall be held within thirty (30) days of the date of the written request unless the person to be terminated waives such time requirement; however, such hearing shall be held within ninety (90) days from the date of the request. The hearing committee shall conduct the hearing in accordance with the following conditions and procedures.
6. (12) 81 The hearing will be closed to the public unless requested to be open by the appealing person.
6. (12) 82 The appealing person may be represented by legal counsel at his or her expense.
6. (12) 83 The appealing person and the institution may offer any written evidence or oral testimony that is material to the issues.
6. (12) 84 The burden shall be upon the appealing person to show by a preponderance of the credible evidence that:

- (a) financial exigency was not in fact the reason for the initial decision to reduce academic positions; or
- (b) the decision to terminate the appealing person as compared to another individual in the same discipline or teaching specialty was arbitrary and unreasonable.

No other issues shall be heard or considered by the hearing committee.

6. (12) 9 The hearing committee shall make written findings of fact and recommendations to the chief administrative officer as soon as practical following the hearing. The chief administrative officer shall have the final decision to either accept or reject the recommendation of the hearing committee.

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 chief administrative officer, the Chancellor, an Executive Vice 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 chief administrative officer, the Chancellor, an Executive Vice 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 Executive 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 Handbook of Operating Procedures.
- 10.12 When a proposal has been approved or amended by the appropriate institutional officials, faculties, and the component chief administrative officer, it shall then go to the Office of 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 chief administrative officer, 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 chief administrative officer, and this appeal, accompanied by reasons for and against the proposal, shall go through the prescribed administrative channels and shall be presented to the Office of the Chancellor and thence to the Board for final action. The deans and other institutional officials, the component chief administrative officer, the Office of 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. Communications 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 chief administrative officer, 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 chief administrative officer 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 non-elective 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 chief administrative officer 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.--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 Office of the Chancellor and the Board, or alternate holidays approved in the official calendars of the various institutions by the Office of 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 on twelve-month appointments, classified personnel and nonteaching personnel shall be as provided by state law and approved by the Board. 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 Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity which reflects credit on the institution and enhances an individual's subsequent contributions to the institution, a second consecutive year of leave of absence 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 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 Handbooks of Operating Procedures.
- Sec. 19. Sick Leave.
- 19.1 Sick leave for all employees, including faculty, nonteaching personnel, and classified personnel, shall be as provided by state law.
- 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 chief administrative officer with the approval of the Office 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 chief administrative officer.
- 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 chief administrative officer 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. (Texas Education Code, Section 65.38.)
- 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 apportionments 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 chief administrative officer concerned, if any, and the Office of 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 Office 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 Office 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. Faculty and Staff Organizations.

- 32.1 Each component institution shall adopt procedures for the registration of faculty and staff organizations at that institution. The period of registered status of an organization shall not exceed one academic year and such status shall automatically terminate at the end of each academic year; provided, however, an organization previously registered as a faculty or staff organization may apply for and be granted registration for subsequent periods of one academic year if it meets all applicable criteria in effect for the period for which registration is sought.
- 32.2 A registered faculty or staff organization shall be subject to all applicable rules and regulations of the component institution and The University of Texas System. Action taken by or on behalf of a registered faculty or staff organization that results in a violation of such rules and regulations is subject to disciplinary action which may result in the suspension or revocation of the registered status of the organization.
- 32.3 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.
- 32.31 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 an affidavit

executed by the president, chairman, or other appropriate official of the organization stating 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.

32.32 If the chief administrative officer of the institution, or his designated delegate, determines that the statements in such affidavit are false, registration shall be denied, or if it is determined that such affidavit has become false during any period of registration, such registration shall be cancelled.

32.4 Each application for registration as a faculty or staff organization shall be accompanied by a complete list of the names and addresses of all persons who are officers of the organization and the application shall identify by name and address the person or persons who are authorized to speak for or represent the organization in its relations with the institution and who are authorized to receive for the organization any official notices, directives, or instructions from the institution. This required information shall be kept current during any period of registration. If at any time during a period of registration it is determined by the chief administrative officer of the institution, or his delegate, that such information is not current and the organization does not make such information current within ten (10) days after being notified of such deficiency, registration shall be cancelled.

32.5 A registered faculty or staff organization may state that its membership is composed of the faculty 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 the institution. A faculty or staff organization shall not use the name of a component institution or the name of The University of Texas System as a part of the name of the organization, and it shall neither display the seal of either

a component institution or The University of Texas System in connection with any activity of the organization nor use such seal or seals as part of any letterhead, sign, banner, pamphlet, or other printed material that bears the name of the organization.

32.6 Faculty and staff organizations shall be subject to all applicable rules and regulations of The University of Texas System and the component institution at which the organization is registered. An organization is subject to disciplinary action or cancellation of registration for violation of such rules and regulations.

Sec. 33. Staff Benefits.--For other staff benefits, see Part Two hereof.

the regular academic work of the institution.

(4) The operation by the institution, its subcontractor, or lessee (through appropriate written agreements approved as to content by the chief administrative officer of the institution and the Office of the Chancellor, as to form by the Office of General Counsel, and by the Board of Regents through the Docket of the Office of the Chancellor) of any bookstore, specialty store, laundry, pharmacy, cafeteria, state or federal credit union (the membership in which must be limited primarily to students, faculty, and staff of the institution but which may include: students, faculty, and staff of other area institutions of higher education; students, faculty, and staff of other component institutions of the U. T. System; staff members of U. T. System administration; and staff members of organizations closely related to the institution's educational mission such as ex-student organizations and cooperative bookstores), unmanned teller machines (any agreement for the placement of which must include a provision expressly prohibiting advertising the location of the unmanned teller machine to the general public), travel agency (the use of which must be limited primarily to students, faculty and staff of the institution and which agency must agree to undertake no public advertising concerning the location of the facility), 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.

I-RR - Part One

THE UNIVERSITY OF TEXAS SYSTEM

OFFICE OF THE BOARD OF REGENTS
BOX N - AUSTIN, TEXAS 78713-7328 (512) 499-4402

MEMORANDUM

DATE May 3, 1985

sent

TO: Those Who Receive Official Copies of the RRR
FROM: Arthur H. Dilly *AHD*
SUBJECT: Regents' Rules and Regulations, Part One - Amendments

Please update your copy of the Regents' Rules and Regulations, Part One by destroying the pages listed in Column "A" and substituting in lieu thereof the pages listed in Column "B":

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page i	Page i
Pages I-2, I-16, I-17, I-23	Pages I-2, I-16, I-17, I-23, I-24

The amendments approved at the April 11-12, 1985 meeting of the U. T. Board of Regents as well as editorial changes have been incorporated on the revised pages.

AHD:mg

Enclosures

THE UNIVERSITY OF TEXAS SYSTEM

OFFICE OF THE BOARD OF REGENTS
BOX N - AUSTIN, TEXAS 78713-7328 (512) 499-4402

MEMORANDUM

DATE May 3, 1985

TO: Dr. Kenneth H. Ashworth

FROM: Arthur H. Dilly *AH*

SUBJECT: Regents' Rules and Regulations, Part One - Amendments

Please update your copy of the Regents' Rules and Regulations, Part One by destroying the pages listed in Column "A" and substituting in lieu thereof the pages listed in Column "B":

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page i	Page i
Pages I-2, I-16, I-17, I-23	Pages I-2, I-16, I-17, I-23, I-24

The amendments approved at the April 11-12, 1985 meeting of the U. T. Board of Regents as well as editorial changes have been incorporated on the revised pages.

Three copies of each of the revised pages are enclosed: one for your office, one for the Legislative Budget Board and one for the Governor.

AHD:mg
Enclosures (3 sets)

Official Copy
April 11, 1985

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

Reissued as of September 1, 1982
(with Amendments to April 11, 1985)

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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 Except for the Executive Committee, which shall be composed of the Chairman and the two Vice-Chairmen, the Chairman shall appoint the standing and special committees of the Board.
 - 3.24 The Chairman shall be an ex officio member of all committees of the Board.

Sec. 4. Vice-Chairmen of the Board. --Two Vice-Chairmen 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. At the election, the Board shall designate which Vice-Chairman shall assume the duties of Chairman in case of the absence, death, resignation, disability, removal, or disqualification of the Chairman. In case of the absence, death, resignation, disability, removal, or disqualification of the Chairman, the designated 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. In case of the absence, death, resignation, disability, removal, or disqualification of both the Chairman and the designated Vice-Chairman, the other Vice-Chairman shall perform the duties of Chairman

- 7.196 Counsel with the Office of the Chancellor and recommend Board action with respect to any recommendations by the Chancellor related to the appointment, promotion, and dismissal of such System officers as are responsible for managing the lands and investments of the System or any component thereof.
- 7.2 Board for Lease of University Lands.--Pursuant to Section 66.62, Texas Education Code, two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve with the Commissioner of the General Land Office on the Board for Lease of University Lands, an agency of the State of Texas. 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. With the knowledge and direction of the Chancellor, the Board for Lease shall receive the assistance and cooperation of the Offices of Lands Management, Finance and Administration, and General Counsel.
- 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 Consideration of items referred directly to the Board.

- 8.23 Consideration of approval of items contained in reports of standing committees.
- (a) Executive Committee
 - (b) Finance and Audit Committee
 - (c) Academic Affairs Committee
 - (d) Health Affairs Committee
 - (e) Buildings and Grounds Committee
 - (f) Land and Investment Committee
- 8.24 Special Items:
- (a) Office of the Chancellor
 - (b) Chief administrative officers of the component institutions
 - (c) Members of the Board
- 8.25 Reports of special committees.
- 8.26 Executive Session 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 Matters to be Referred to Committees.--The Chairman of the Board in consultation with the Executive Secretary to the Board and appropriate committee chairmen shall make appropriate referrals to standing committees. On all matters for the consideration of the Board originating in the Office of the Chancellor, the Office of the Chancellor shall include a recommendation as to the standing committee to which the matter should be referred. Insofar as it is practicable, all subjects and matters requiring Board action shall be referred to the appropriate standing committee for consideration and recommendation before action is taken thereon by the Board.
- 8.5 Communications by and to the Board.
- 8.51 Members of the Board of Regents are to be permitted access to such personnel and information as in their individual judgements will enable them to fulfill their duties and responsibilities as Regents of The University of Texas System. It is the responsibility of each Regent to be knowledgeable in some detail regarding the

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. He shall have such other duties and responsibilities as may be directed by the Board.

Sec. 10 Signature Authority for Documents Executed on Behalf of the Board.

- 10.1 Except as may be otherwise provided in these Rules and Regulations or in the resolution or order of the Board with respect to the approval of a specific document or with respect to the approval of a program or project requiring the execution of one or more documents, the Chairman of the Board, the Designated Vice-Chairman of the Board, the Chancellor, or the appropriate Executive Vice Chancellor may sign on behalf of the Board:
- 10.11 all contracts, agreements, leases, bonds, licenses, or permits and all amendments, extensions or renewals of same that have been approved, authorized or granted by the Board as an item on the Agenda of the Board at a regular or special meeting;
- 10.12 applications for permits or licenses to be issued to the Board or a component institution that have been approved or authorized by the Board;
- 10.13 renewals of permits or licenses issued to the Board or a component institution that are renewable without change in the terms or conditions thereof where the original application for such permit or license was made pursuant to the approval or authorization of the Board and such approval or authorization has not been withdrawn.

- 10.2 The provisions of this Section shall not apply to documents submitted for the review and approval of the Board pursuant to the provisions of Subsection 8.54 of Section 8, Chapter I, Part One of these Rules and Regulations.
- 10.3 All documents executed on behalf of the Board pursuant to this Section other than renewals of permits or licenses executed pursuant to Section 10.13, shall have affixed thereto a certification by the Executive Secretary to the Board attesting to the action of the Board approving such document and setting forth the date of such approval.

10 June 5/11

Pending / B/R

Need to amend RRR - Part One - Chapter I
Sec. 8.2 - "Order of Business" to reflect
Current procedure

/a

Ad -

How this need to be
an editorial change or next

set of amendments to RRR or does
Crawson need to prepare agenda
item?

ong
3/13

EDITORIAL

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THE UNIVERSITY OF TEXAS SYSTEM

OFFICE OF THE BOARD OF REGENTS

BOX N - AUSTIN, TEXAS 78713-7338 (512) 499-4402

MEMORANDUM

Mailed 2/7/85

DATE January 30, 1985

TO: _____

FROM: Arthur H. Dilly *AHD*

SUBJECT: Regents' Rules and Regulations, Part One - Amendments

Please update your copy of the Regents' Rules and Regulations, Part One by destroying the pages listed in Column "A" and substituting in lieu thereof the pages listed in Column "B":

"A"

Cover Page
Page i
Pages II-1 through II-30
Pages VI-3 through VI-10

"B"

Cover Page
Page i
Pages II-1 through II-26
Pages VI-3 through VI-10

The amendments approved at the December 13-14, 1984 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AHD:mg

Enclosures

Official Copy
Dec. 13, 1984

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

**Reissued as of September 1, 1982
(with Amendments to December 13, 1984)**

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CHAPTER II

ADMINISTRATION

Sec. 1. General Provisions.

1.1 Administration.

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

1.2 The University of Texas System.

The University of Texas System (herein sometimes called the "System") is composed of the System Administration and 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. Office of the Chancellor--Delegation of Authority/Line Responsibility.

2.1 Board's Exercise of Authority.

The Office of the Chancellor is the office through which the Board of Regents exercises its powers and authorities in the governance of The University of Texas System.

2.2 Composition.

The Office of the Chancellor consists of the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Asset Management, the Executive Vice Chancellor for Health Affairs and such direct supporting staffs for these officers as may be required and provided for in the annual operating budget and amendments thereto. The Chancellor shall coordinate consultation among the principal officers of the Office of the Chancellor.

2.3 Chancellor/Chief Executive Officer.

The Chancellor is the chief executive officer of the System and directly reports to and is responsible to

the Board. He has direct line responsibility for all aspects of the U. T. System's operations. In addition, he has first line supervisory responsibility for the governmental relations and audit functions of the System and provides day-to-day supervision for the holders of the following positions who directly report to the Office of the Chancellor: the Executive Director for Finance and Administration; the Vice Chancellor and General Counsel; the Director of Development; and the Director of the Office of Facilities Planning and Construction.

- 2.4 Executive Vice Chancellor for Academic Affairs/Chief Operating Officer.
The Executive Vice Chancellor for Academic Affairs is the chief operating officer of the System for Academic Affairs and, in consultation with the Chancellor, directly reports to and is responsible to the Board for the conduct of the academic affairs of the System. The chief administrative officers of the general academic institutions in the System and the chief administrative officer of the U.T. Institute of Texan Cultures at San Antonio, acting in a line capacity for the operation of their institutions, report to and are responsible to the Executive Vice Chancellor for Academic Affairs.
- 2.5 Executive Vice Chancellor for Asset Management/Chief Operating Officer. The Executive Vice Chancellor for Asset Management is the chief operating officer of the System for management of the assets of the U. T. System and, in consultation with the Chancellor, directly reports to and is responsible to the Board for conduct of the asset management programs of the U. T. System. The Manager of University Lands - Oil, Gas and Mineral Interests, the Manager of University Lands - Surface Interests, the Executive Director for Investments and Trusts, and the Director of the University Lands Accounting Office, acting in a line capacity for the operation of their functions, report to and are responsible to the Executive Vice Chancellor for Asset Management.
- 2.6 Executive Vice Chancellor for Health Affairs/Chief Operating Officer.
The Executive Vice Chancellor for Health Affairs is the chief operating officer of the System for health-related education and health services in the System and, in consultation with the Chancellor, directly reports to and is responsible to the Board for the conduct of health-related education and the delivery of health services in the System. The chief administrative officer of each health-related institution

in the System, acting in a line capacity for the operation of such officer's institution, reports to and is responsible to the Executive Vice Chancellor for Health Affairs.

Sec. 3. Administrative Officers of the System.

- 3.1 Executive Director for Finance and Administration.
The Executive Director for Finance and Administration is an administrative officer of the System. He reports to the Office of the Chancellor under the day-to-day supervision of the Chancellor. He is responsible for the supervision of those areas of responsibility and those offices assigned to him in Section 7.1 of this Chapter. He provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities.
- 3.2 Vice Chancellor and General Counsel.
The Vice Chancellor and General Counsel is an administrative officer of the System. He reports to the Office of the Chancellor under the day-to-day supervision of the Chancellor. He is responsible for the provision of legal services to the System as set out in Section 7.2 of this Chapter. He provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities.
- 3.3 Vice Chancellor for Governmental Relations.
The Vice Chancellor for Governmental Relations is an administrative officer of the System. Working under established procedures that insure effective coordination with the Executive Vice Chancellors, he reports to the Chancellor. He is responsible for coordinating the effective representation of the System in the area of governmental affairs as set out in Section 8.1 of this Chapter. He provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities.
- 3.4 Executive Director (Office of the Chancellor).
The Executive Director (Office of the Chancellor) is an administrative officer of the System. He is the chief staff assistant in the Office of the Chancellor and as assigned or requested assists the Chancellor and the Executive Vice Chancellors in the administration of the Office of the Chancellor. Specific duties of the holder of this position are set out in Section 7.3 of this Chapter.
- 3.5 Director of Development.
The Director of Development is an administrative officer of the System. He reports to the Office of

the Chancellor under the day-to-day supervision of the Chancellor. He is responsible for coordinating development activities in the System and for coordinating the activities of the Office of Public Information as set out in Section 7.4 of this Chapter. He provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities.

Sec. 4. Appointment and Tenure of Officers.

- 4.1 Chief Executive and Chief Operating Officers. The Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Asset Management, and the Executive Vice Chancellor for Health Affairs, 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.
- 4.2 Administrative Officers of the System. The administrative officers of the System shall be appointed by the Board after nomination by the Office of 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 Office of the Chancellor. Their actions concerning such officers are in turn subject to review and approval by the Board.
- 4.3 Honorary Titles. The titles Chancellor Emeritus, President Emeritus and similar honorary designations shall be conferred only by appropriate action of the Board on individuals who are fully retired. No person is authorized to use any such title unless it has been bestowed by the Board.

Sec. 5. General Purview and Duties of the Office of the Chancellor.

The Office of 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 Office of the Chancellor will normally act through the chief administrative officer regarding the affairs of a component institution. The Office of the Chancellor, however, shall not be precluded from any direct participation and communication with institutional staff, faculty members, and groups. The major duties of the Office of the Chancellor include:

- 5.1 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 deemed 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.

- 5.2 Directing the management and administration of System Administration and all component institutions of the System.
- 5.3 Presenting to the appropriate standing committees of the Board and to the Board nominations for all officers of the System, and for all officers of component institutions as provided in these Rules and Regulations.
- 5.4 Periodically reviewing the organization of the System Administration and the component institutions of the System and reporting to the appropriate standing committees of the Board and to the Board recommendations for changes in organization, assignments and procedures.
- 5.5 Preparing and approving appropriate recommendations to the Board and its standing committees either in the name of "The Office of the Chancellor" or as "The Office of the Chancellor concurs ..." with the recommendation of the appropriate chief administrative officer of a component institution.
- 5.6 Preparing and approving annual operating budgets for the System Administration and the component institutions of the System and submitting such recommendations to the Board.
- 5.7 Preparing and approving biennial legislative submissions to the Legislative Budget Board and to the Governor for the System Administration and the component institutions of the System for the consideration of the Board in accordance with Section 6 of Chapter II of Part Two of these Rules and Regulations.
- 5.8 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.

Sec. 6. Primary Duties of the Chief Operating Officers in the Office of the Chancellor.

- 6.1 The Executive Vice Chancellor for Academic Affairs.--
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 direct line responsibility for the budgets, academic planning and programs, facilities 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.
- 6.2 The Executive Vice Chancellor for Asset Management.--
The Executive Vice Chancellor for Asset Management has direct responsibility for lands management (including management of trust lands, endowment lands, and management of the Permanent University Fund lands); investments and trusts (including investment and management of trusts, trust assets, and endowments) and management of the investment of the Permanent University Fund. He has as a prime responsibility the management of the lands, trusts, endowments, and other such funds of the System in such a manner as to maximize the monies available for excellence in all activities of the System. Through the Office of the Chancellor, he shall prepare recommendations and supporting information on all such operations for consideration by the appropriate standing committees of the Board of Regents.
- 6.3 The Executive Vice Chancellor for Health Affairs.--The Executive Vice Chancellor for Health Affairs shall have as a prime responsibility the maintenance of high academic quality in the health-related teaching institutions and high quality health services in the health-care delivery institutions of the System. Through the chief administrative officers of the component institutions, he or she shall have direct line 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 Health 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.

Sec. 7. Duties of Certain Administrative Officers of the System.

- 7.1 Executive Director for Finance and Administration.
The Executive Director for Finance and Administration reports to the Office of the Chancellor under the day-to-day supervision of the Chancellor. His primary responsibilities include:
- 7.11 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
 - 7.12 Submitting recommendations to the Office of the Chancellor and to the appropriate Executive Vice Chancellor on business operations of the components of the System.
 - 7.13 Reviewing and making recommendations on uniform business systems and management.
 - 7.14 Submitting recommendations relating to programs for the most efficient management of personnel and resources.
 - 7.15 Submitting recommendations for program development for training of personnel in nonacademic areas.
 - 7.16 Reviewing and making recommendations on programs of long-range planning for physical facilities and financial resources.
 - 7.17 Reviewing and making recommendations relating to police and security matters within the System.
 - 7.18 Coordinating the business affairs of the System with other officers and members of the System Administration staff.
 - 7.19 In consultation with the appropriate Executive Vice Chancellor, coordinating the activities of business administrative operations of the component institutions.
 - 7.1(10) Managing the operations of the offices of Budget, Comptroller, System Personnel, Police, and Special Services.
 - 7.1(11) Supervising and coordinating the acquisition of all real property at the component institutions.
 - 7.1(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.
 - 7.1(13) 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.

7.1(14) Performing such other duties as may be assigned by the Office of the Chancellor.

7.2 Vice Chancellor and General Counsel.

The Vice Chancellor and General Counsel reports to the Office of the Chancellor under the day-to-day supervision of the Chancellor. His primary responsibilities include:

- 7.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 7.22 Providing all legal services required by the System and its personnel to insure the proper protection and advancement of the System's interests.
- 7.23 Maintaining the supervision, and delivery of legal services at a high level of effectiveness.
- 7.24 Directing and managing all legal personnel and legal affairs of the System, its units and its component institutions.
- 7.25 Providing advice, counsel and legal interpretations to System officials and personnel concerning legal matters affecting System operations.
- 7.26 Directing the Office of Vice Chancellor and General Counsel personnel with respect to work priorities and assignments, standards of performance, and career development, delegating to staff members responsibility for particular legal and administrative tasks; and coordinating and controlling budget and personnel levels.
- 7.27 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

- 7.28 approving settlement or appeal of litigation. 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.
- 7.29 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.
- 7.2(10) Drafting all legislation that has been approved by the Board or requested by any System officer for submission to the Board for approval and providing legal counsel on pending legislation.
- 7.2(11) Identifying and evaluating administrative and functional problems and directing or recommending, as appropriate, courses of action for solution.
- 7.2(12) Representing the System before legal, educational and governmental groups and associations.
- 7.2(13) Acting as administrator of the System Plan for Professional Medical Malpractice Self-Insurance and the System Patent and Trademark Offices.
- 7.2(14) Working in cooperation with the Attorney General of the State of Texas, State Agency legal counsel and outside counsel.
- 7.2(15) Assuming responsibility for any other legal, administrative or operational matters delegated by the Office of the Chancellor.

7.3 Duties of the Executive Director (Office of the Chancellor).

The Executive Director (Office of the Chancellor) is the chief staff assistant in the Office of the Chancellor and as assigned or requested assists the Chancellor and the Executive Vice Chancellors in administration of the Office of the Chancellor. The holder of this position serves simultaneously as Executive Assistant to the Chancellor. Specific duties include the following:

- 7.31 Facilitating routine communication and coordinating paper flow among the Chancellor and the Executive Vice Chancellors.
- 7.32 Providing day-to-day liaison for the Office of the Chancellor with the Office of the Board of Regents.

- 7.33 Coordinating the submission of agenda items from the Office of the Chancellor for consideration by the Board or by the standing committees of the Board.
 - 7.34 Coordinating the internal administrative procedures of the Office of the Chancellor.
 - 7.35 Providing staff support when requested by the Executive Vice Chancellors in their review of the management of component institutions.
 - 7.36 Assisting the Chancellor as directed on specific projects in connection with the Chancellor's responsibilities.
 - 7.37 Coordinating the preparation of the agenda for the meetings of the System Council at the direction of the Chancellor and the Executive Vice Chancellors.
 - 7.38 Advising and consulting with the Chancellor, the Executive Vice Chancellors and Chief Administrative Officers or Chief Student Affairs Officers of U.T. component institutions on organization and management of student services and programs.
 - 7.39 Performing such other duties and responsibilities as may be directed by the Chancellor and the Executive Vice Chancellors.
- 7.4 Director of Development. The Director of Development reports to the Office of the Chancellor under the day-to-day supervision of the Chancellor. His primary responsibilities include:
- 7.41 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
 - 7.42 Acting under the authority delegated by the Office of the Chancellor for private fund development for the System.
 - 7.43 Coordinating policies and activities involving internal foundations and University-related external foundations.
 - 7.44 Coordinating and cooperating with the chief administrative officers of the component institutions in development programs.
 - 7.45 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.
 - 7.46 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.
- 7.47 Administering procedures for the preparation of gift records, gift processing, gift acknowledgments, and gift docket for the Board.
- 7.48 Coordinating the activities and functions of the Office of Public Information.
- 7.49 Performing such other duties and responsibilities as may be assigned by the Office of the Chancellor.

Sec. 8. Certain Offices Reporting Directly to the Chancellor.

8.1 Duties of the Vice Chancellor for Governmental Relations.

Working under established procedures that insure effective coordination with the Executive Vice Chancellors, the Vice Chancellor for Governmental Relations reports to the Chancellor. His primary responsibilities include:

- 8.11 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 8.12 Representing the System in its relations with federal, state, and local legislative bodies and agencies.
- 8.13 Making recommendations to the Office of the Chancellor in the area of public policy as it affects the relationship of the System with the federal, state, and local governments.
- 8.14 Informing appropriate administrative officers of current operations and long-range developments on the federal and state level, which may affect the System.
- 8.15 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, state, and local governmental programs and activities.
- 8.16 Defining the job responsibilities, the assignment of duties, and supervising staff members employed in or assigned to work in the governmental affairs area.
- 8.17 Performing such other duties and responsibilities for the efficient operation of the System as shall be assigned by the Chancellor.

8.2 Audit.

The Chancellor, as Chief Executive Officer of the System, is responsible for insuring the implementation of appropriate audit and postaudit procedures for the

System and System Administration. Accordingly, with regard to his audit functions (see Section 10 of this Chapter), the Comptroller reports directly to the Chancellor.

Sec. 9. Asset Management.

9.1 Lands Management.

9.11 The Executive Vice Chancellor for Asset Management provides direction and management for all transactions relative to Permanent University Fund lands (hereinafter sometimes referred to as "University Lands"), trust lands, and other noncampus real estate interests owned or controlled by the Board of Regents. In the exercise of those responsibilities, he:

- 9.111 Works closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 9.112 Works closely with the chief administrative officer of a component institution of the System and his delegates with regard to the management of trust lands and other noncampus real estate interests held by the Board of Regents for and on behalf of a particular institution.
- 9.113 Establishes procedures that insure effective coordination with the Executive Director for Investments and Trusts with regard to the management of trust lands other than University Lands.
- 9.114 Directs and manages the operation of the following budgeted activities which are part of the Office of Lands Management:
- Board for Lease - University Lands;
 - University Lands - Oil, Gas, and Mineral Interests;
 - University Lands Accounting Office;
 - University Lands - Surface Interests (Oil Field Supervision); and
 - University Lands - Surface Interests (Leasing and Agricultural Projects).

9.12

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

Subject to delegation by the Executive Vice Chancellor for Asset Management, 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 the Executive Vice Chancellor for Asset Management, the Manager's regular duties include:

- 9.121 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.
- 9.122 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him.
- 9.123 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 Executive Vice Chancellor for Asset Management and the Board for Lease of University Lands.
- 9.124 Reporting regularly to the Executive Vice Chancellor for Asset Management and the Board for Lease of University Lands all activities, developments and problems which could significantly affect System interests and University Lands, together with his recommendations with respect thereto.
- 9.125 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.

- 9.126 Coordinating with the Manager of University Lands - Surface Interests in the discharge of their respective duties and responsibilities.
- 9.13 Manager of University Lands - Surface Interests.
Subject to delegation by the Executive Vice Chancellor for Asset Management, 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 the Executive Vice Chancellor for Asset Management, the Manager's regular duties include:
- 9.131 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.
- 9.132 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him.
- 9.133 Reviewing periodically the terms and conditions of forms and transactions involving surface interests in University Lands, and making recommendations with respect thereto to the Executive Vice Chancellor for Asset Management.
- 9.134 Reporting regularly to the Executive Vice Chancellor for Asset Management all activities, developments and problems which could significantly affect System interests in University Lands, together with his recommendations with respect thereto.
- 9.135 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.
- 9.136 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.

9.2 Investments and Trusts.

Subject to delegation by the Executive Vice Chancellor for Asset Management, the Executive Director for Investments and Trusts implements, when they are approved by the Board, policies and actions with respect to:

9.21 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.

9.22 Issuing, managing and paying all bonds and other evidences of indebtedness issued by the Board for System and its component institutions.

9.23 Presenting to the Board through the Office of 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.

9.24 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.

Sec. 10. 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 Executive Director for Finance and Administration, the major duties of the Budget Director include:

10.1 Formulating procedures governing the preparation and review of all budgets and developing effective methods of presenting approved budgets to appropriate agencies.

10.2 Recommending procedures to be followed, including format, schedules of budget preparation, and effective review of budgets.

10.3 Preparing budget-writing instructions.

- 10.4 Conducting budget and other related research studies.
- 10.5 Planning systems and procedures for budgetary control and financial reporting.
- 10.6 Controlling and supervising distribution of all budgets and processing and approving (as delegated) interim budget changes.
- 10.7 Preparing periodic budgetary, financial, and special reports, as appropriate.
- 10.8 Serving as liaison with the staff of the Legislative Budget Board, the Governor's Budget and Planning Office, and the Coordinating Board, Texas College and University System.

Sec. 11. Comptroller.

- 11.1 Subject to delegation by the Executive Director for Finance and Administration (provided, however, that, in the audit functions, the Comptroller shall report directly to the Chancellor), the Comptroller formulates and recommends procedures to be followed in the business operations of the System for:
 - 11.11 Accounting, auditing and reporting, and expenditure control.
 - 11.12 Receipt, disbursement, and custody of funds.
 - 11.13 Procurement and purchasing.
 - 11.14 Management of auxiliary service enterprises.
 - 11.15 Data processing systems - including prior approval of equipment acquisitions by purchase or lease.
 - 11.16 Accounting and business system development.
 - 11.17 Accounting records, forms, procedures, and financial reports, including format for such reports.
 - 11.18 Terms of depository agreements with banks.
 - 11.19 Lease contracts for building space.
 - 11.1(10) Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
 - 11.1(11) Conducting postaudits at each component institution.
 - 11.1(12) Supervising the auditing of oil and gas production.
- 11.2 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.

Sec. 12. Director of Accounting.

- 12.1 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. Subject to delegation by the Executive Director for Finance and Administration, his duties include:
- 12.11 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.
 - 12.12 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.
 - 12.13 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 contracted with such accounts of the component institutions).
- 12.2 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.

Sec. 13. Director of Facilities Planning and Construction.

The Director of Facilities Planning and Construction reports to the Office of the Chancellor under the day-to-day supervision of the Chancellor. His primary duties and responsibilities include:

- 13.1 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 13.2 Managing the administration and general supervision of any new building construction and initial equipping thereof or any inside or outside repairs, remodeling, rehabilitation, new construction of improvements other than building, or campus planning costing \$100,000 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.

- 13.3 Serving as ex officio member of all faculty building committees at the component institutions.
- 13.4 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.
- 13.5 Coordinating the preparation of and approving of all grant applications on approved construction projects filed with governmental agencies.
- 13.6 Coordinating the development of and maintaining of master plans for all component institutions, including but not limited to land utilization, utility and landscape plans.
- 13.7 Developing standards for maintenance of all physical facilities at component institutions.
- 13.8 Directing the negotiation and approval of all utility contracts.

Sec. 14. System Personnel Director.

The System Personnel Director's primary responsibility is to plan, develop, and coordinate System-wide personnel policies and procedures. Subject to delegation by the Executive Director for Finance and Administration, the System Personnel Director is responsible for:

- 14.1 Acting as liaison between component institution personnel officers and the System officers regarding all personnel matters relating to classified personnel, administrative staff, and certain matters relating to teaching and/or academic personnel.
- 14.2 Advising the System officers and making recommendations concerning development of methods and procedures designed to maximize the effectiveness of System Personnel Programs.
- 14.3 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.

- 14.4 Reviewing and recommending the Personnel Office budgets for each component institution.
- 14.5 Directing the administration of the System Personnel Office, including the Workmen's Compensation Insurance section.
- 14.6 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.
- 14.7 Establishing employee development and training programs for all component institutions, including particularly supervisory training programs.
- 14.8 Formulating policies and procedures concerning labor relations and employer-employee relationships.
- 14.9 Assisting and establishing personnel data systems and proper practices and procedures concerning the personnel records of all employees.
14. (10) Conducting System-wide wage and salary research studies and formulating data for proper implementation of personnel pay programs.
14. (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.

Sec. 15. Director of Police.

Subject to delegation by the Executive Director for Finance and Administration, the Director of Police is responsible for:

- 15.1 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.
- 15.2 Approving the organizational structure for police departments at the component institutions of the System.
- 15.3 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.

- 15.4 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.
- 15.5 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.
- 15.6 Establishing a uniform reporting and record system for police departments at the component institutions of the System and approving any changes thereto.
- 15.7 Conducting periodic inspection of the police departments of the component institutions of the System and evaluating their performance as police agencies.
- 15.8 Formulating and establishing policies and procedures for police operations on a System-wide basis.
- 15.9 Establishing, maintaining, and supervising on a System-wide basis, a program for police personnel promotion.
- 15.(10) Reviewing and recommending the pay scale for police personnel throughout the System.
- 15.(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.
- 15.(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.
- 15.(13) Coordinating the use of police throughout the System in emergency situations.
- 15.(14) Submitting periodic reports to the Executive Director for Finance and Administration concerning the operations of the police departments of the System.

Sec. 16. Councils of the System.

16.1 The System Council.

The System Council is composed of the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Director for Finance and Administration, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive Director (Office of the Chancellor), the Director of Development, and the chief administrative officers of all the component institutions of The University of Texas System. The Chancellor shall serve as the Council's permanent chairman and shall conduct regular meetings to discuss those matters of general concern to the operation of The University of Texas System.

16.2 The Council of Academic Institutions.

The Council of Academic Institutions is composed of the Executive Vice Chancellor for Academic Affairs, the chief administrative officers of the general academic institutions of the System, and the chief administrative officer of the U. T. Institute of Texan Cultures. The Chancellor, the Executive Director for Finance and Administration, the Vice Chancellor and General Counsel, the Vice Chancellor Governmental Relations, the Executive Director (Office of the Chancellor), and the Director of Development serve as ex officio members of this Council. The Executive Vice Chancellor for Academic Affairs 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.

16.3 The Council of Health Institutions.

The Council of Health Institutions is composed of the Executive Vice Chancellor for Health Affairs and the chief administrative officers of the component institutions of the System concerned directly with health affairs. The Chancellor, the Executive Director for Finance and Administration, the Vice Chancellor and General Counsel, the Vice Chancellor Governmental Relations, the Executive Director (Office of the Chancellor), and the Director of Development serve as ex officio members of this Council. The Executive Vice Chancellor for Health Affairs 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.

- 16.4 The Business Management Council.
The Business Management Council advises the Office of 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 Executive Director for Finance and Administration and the chief business officers of the component institutions. The Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Vice Chancellor and General Counsel, the Vice Chancellor Governmental Relations, the Executive Director (Office of the Chancellor), and the Director of Development, or their delegates, serve as ex officio members of this Council. The Executive Director for Finance and Administration shall serve as the Council's permanent chairman and shall conduct regular meetings of the Council.

Sec. 17. Chief Administrative Officers of Component Institutions.

- 17.1 The Board selects the chief administrative officer of each component institution.
- 17.11 When there is a vacancy or 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 shall be established to recommend candidates to the Board. The Executive Vice Chancellor having line responsibility for the operation of the institution where the vacancy has occurred or is to occur shall be chairman of the Advisory Committee. In addition to the chairman, committee membership is as follows:
- The Chancellor;
 - Three Chief Administrative Officers;
 - (to be appointed by the Chairman of the Board from three of the component 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 development board or an interested layman to be appointed by the Chief Administrative Officer of the institution involved).

- 17.12 When there is a vacancy or 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 Executive Vice Chancellor having line responsibility for the institution, subject to approval of the Chairman of the Board. The Executive Vice Chancellor having such line responsibility shall be Chairman of the Committee.
- 17.13 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.
- 17.14 Finally, the Advisory Committee shall submit, through its Chairman, 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.

- 17.2 Each chief administrative officer reports to and is responsible to the Executive Vice Chancellor having line responsibility for the institution, and serves without fixed term, subject to the pleasure of the appropriate Executive Vice Chancellor and approval by the Board.
- 17.3 Within the policies and regulations of the Board, and under the supervision and direction of the Executive Vice Chancellor having line responsibility for the institution, the chief administrative officer has general authority and responsibility for the administration of that institution.
- 17.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:
- 17.311 Develop and administer plans and policies for the program, organization, and operation of the institution.
 - 17.312 Interpret the System policy to the staff, and interpret the institution's program and needs to the Office of the Chancellor and to the public.
 - 17.313 Develop and administer policies relating to students, and where applicable, to the proper management of services to patients.
 - 17.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
 - 17.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.
 - 17.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.

- 17.317 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.
- 17.318 Appoint, or establish procedures for the appointment of, all faculty, staff, and student committees.
- 17.319 Cause to be prepared and submitted to the Office of the Chancellor the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the Office of the Chancellor, they shall thereafter constitute the Handbook of Operating Procedures for that institution. Provided, however, that whether or not finally approved by the Office of 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 Office of 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.
- 17.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 17.31(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. 18. Appointment of Other Administrative Officers.

- 18.1 The Board delegates to the Executive Vice Chancellor having line responsibility for the institution and that Executive Vice Chancellor, in turn, 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 appropriate Executive Vice 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 Executive Vice Chancellor.

18.2 The Board delegates to the Executive Vice Chancellor having line responsibility for the institution and that Executive Vice Chancellor, in turn, 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.

18.3 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.

- 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 Subsection 3.(10) and 3.(11) of this Chapter.
- 3.3 Individuals who are not currently enrolled at a component institution of The University of Texas System remain subject to the disciplinary process for conduct that occurred during any period of enrollment, and for statements, acts or omissions related to application for enrollment or the award of a degree.
- 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 chief administrative officer, 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 or expelled 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 or expulsion 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 each institution. It shall be the Dean's 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 or her duties.
3. (10)1 If the Dean of Students determines that such allegations are not unfounded, the Dean 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 a penalty pursuant to Subsection 3. (13) that is appropriate to the charges and inform the student of such action in writing. The decision of the Dean of Students on penalty may be appealed as in the case of a decision rendered subsequent to a hearing in accordance with Subsection 3. (11). The appeal is limited to the issue of penalty and no transcript will be required.
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 grades, official transcript or degree.
 3. (13)3 Bar against readmission.
 3. (13)4 Restitution 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. Expulsion may be permanent.
 3. (13)10 Revocation of degree and withdrawal of diploma.
 3. (13)11 Other penalty as deemed appropriate under the circumstances.
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 chief administrative officer of the institution. The decision or decisions will be reviewed upon the basis of the transcript of the hearing. Both parties may, at the discretion of the chief administrative officer, 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 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 chief administrative officer 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 or the chief administrative officer of the institution 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. The Dean may authorize interim withholding of the student's grades, degree or official transcript when such withholding would be in the best interest of the institution.
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 engages in conduct that violates any provision of those laws is subject to disciplinary action, including expulsion, notwithstanding any action taken by civil authorities or agencies charged with the enforcement of criminal laws on account of the violation. If disciplinary action is taken, the Dean of Students shall proceed with action in the same manner as in the case of a violation of any other provision of these Rules and Regulations or a provision of any institutional rule.

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.

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 chief administrative officer 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. A student organization shall not use the name of a component institution or the name of The University of Texas System as a part of the name of the organization, and it shall neither display the seal of either a component institution or The