AGENDA
FOR MEETING
OF
THE UNIVERSITY OF TEXAS SYSTEM
BOARD OF REGENTS

November 18-19, 2026
Austin, Texas

Wednesday, November 18, 2026

COMMITTEE MEETINGS — *1:00 p.m. - 3:30 p.m.*

CONVENE THE BOARD IN OPEN SESSION TO RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*, CHAPTER 551 — *3:30 p.m.*

1. Individual Personnel Matters Relating to Officers or Employees – Section 551.074

   a. **U.T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions); U.T. System Administration officers (Executive Vice Chancellors and Vice Chancellors); other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive); Board members; and U.T. System and institutional employees; including any interim appointments**

   b. **U.T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of personnel, including individual vice presidents and deans (academic and health institutions)**

   c. **U.T. System: Discussion with Executive Vice Chancellor for Academic Affairs regarding assignment and duties, including individual responsibilities regarding oversight of research-related collaboration opportunities**

2. Negotiated Contracts for Prospective Gifts or Donations – Section 551.073

   U.T. System Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features

3. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071

   a. **U.T. System Board of Regents: Discussion with Counsel on pending legal issues**

   b. **U.T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning pending legal claims by and against U.T. System**

   c. **U.T. System: Discussion and appropriate action regarding legal issues associated with research-related collaboration opportunities, including legal issues associated with formation of a joint venture between U.T. System and the Southeastern Universities Research Association (SURA) to support a postdoctoral program with NASA**

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d. U.T. System: Discussion and appropriate action regarding legal issues associated with entering into a contingency-fee attorney contract for potential antitrust claims

4. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072

5. Deliberation Regarding Security Devices, Security Audits, or Cybersecurity Measures – Sections 551.076, 551.0761, and 551.089

U.T. System Board of Regents: Discussion and appropriate action regarding safety and security issues, including security audits and the deployment of security personnel and devices, and cybersecurity measures, policies, or contracts intended to protect critical infrastructure facilities

RECONVENE THE BOARD IN OPEN SESSION FOR POSSIBLE ACTION ON EXECUTIVE SESSION ITEMS *4:30 p.m.*

RECESS *4:45 p.m.*

Thursday, November 19, 2026

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER AGENDA ITEMS *9:00 a.m.*

STANDING COMMITTEE RECOMMENDATIONS AND REPORTS TO THE BOARD *9:05 a.m.*

1. U.T. System Board of Regents: Approval of Consent Agenda and consideration of any item referred to the full Board **6**

2. U.T. System Board of Regents: Discussion and appropriate action regarding amendments to Regents' *Rules and Regulations*, Rule 20201 (Presidents), regarding presentation of vision and plans **7**

3. U.T. System Board of Regents: Discussion and appropriate action regarding proposed revisions to rules within Regents' Rules and Regulations, Series 30000: Personnel, Rules 30101-30301, Regents' Rules 10501, 31002, 31008 and the Systemwide Sexual Misconduct Model Policy **8**

4. U.T. System Board of Regents: Recognition of recipients of the 2026 Regents' Outstanding Teaching Awards **76**

RECESS TO EXECUTIVE SESSION PURSUANT TO *TEXAS GOVERNMENT CODE*, CHAPTER 551 *10:00 a.m.*

1. Individual Personnel Matters Relating to Officers or Employees – Section 551.074

a. U.T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions); U.T. System Administration officers (Executive Vice Chancellors and Vice Chancellors); other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive); Board members; and U.T. System and institutional employees; including any interim appointments

Thursday, November 19, 2026 (cont.)

b. U.T. System: Discussion and appropriate action regarding individual personnel matters relating to appointment, employment, evaluation, compensation, assignment, and duties of presidents (academic and health institutions); U.T. System Administration officers (Executive Vice Chancellors and Vice Chancellors); other officers reporting directly to the Board (Chancellor, General Counsel to the Board, and Chief Audit Executive); Board members; and U.T. System and institutional employees; including any interim appointments

c. U.T. System: Discussion and appropriate action regarding individual personnel matters relating to assignment and duties of the Chancellor, including responsibilities associated with the admissions procedures set forth in Regents' *Rules and Regulations*, Rule 40303

2. Negotiated Contracts for Prospective Gifts or Donations – Section 551.073

   U.T. System Institutions: Discussion and appropriate action regarding proposed negotiated gifts, including potential naming features

3. Consultation with Attorney Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers – Section 551.071

   a. U.T. System Board of Regents: Discussion with Counsel on pending legal issues

   b. U.T. System Board of Regents: Discussion and appropriate action regarding legal issues concerning pending legal claims by and against U.T. System

   c. U.T. Austin: Discussion and appropriate action regarding legal issues associated with entering into two ground leases of approximately 5.2 acres of land located at the north side of East Martin Luther King Junior Boulevard between Robert Dedman Drive and Interstate Highway 35, in Austin, Travis County, Texas, with The 2033 Higher Education Development Foundation or a wholly owned subsidiary thereof, for the purpose of developing and constructing a multipurpose arena; entering into a long-term arena operating agreement with Live Nation Worldwide, Inc. or a subsidiary thereof; resolution regarding parity debt; and a related finding of public purpose

4. Deliberations Regarding the Purchase, Exchange, Lease, Sale, or Value of Real Property – Section 551.072

   a. U.T. Austin: Discussion and appropriate action regarding entering into a ground lease of approximately 1.1 acres of land located at the north side of East Martin Luther King Junior Boulevard between Robert Dedman Drive and Interstate Highway 35, in Austin, Travis County, Texas, with The 2033 Higher Education Development Foundation or a wholly owned subsidiary thereof, for the purpose of developing and constructing a student housing complex; resolution regarding parity debt; and a related finding of public purpose

Thursday, November 19, 2026 (cont.)

b. U.T. Austin: Discussion and appropriate action regarding entering into a ground lease of approximately 4.1 acres of land located at the north side of East Martin Luther King Junior Boulevard between Robert Dedman Drive and Interstate Highway 35, in Austin, Travis County, Texas, with The 2033 Higher Education Development Foundation or a wholly owned subsidiary thereof, for the purpose of developing and constructing a multipurpose arena; entering into a long-term arena operating agreement with Live Nation Worldwide, Inc. or a subsidiary thereof; and a related finding of public purpose

5. Deliberation Regarding Security Devices, Security Audits, or Cybersecurity Measures – Sections 551.076, 551.0761, and 551.089

U.T. System Board of Regents: Discussion and appropriate action regarding safety and security issues, including security audits and the deployment of security personnel and devices, and cybersecurity measures, policies, or contracts intended to protect critical infrastructure facilities

RECONVENE THE BOARD IN OPEN SESSION TO CONSIDER ACTION, IF ANY, ON EXECUTIVE SESSION ITEMS — *11:45 a.m. approximately*

ADJOURN — *12:00 p.m. approximately*

1. U.T. System Board of Regents: Discussion and appropriate action regarding Consent Agenda items, if any, assigned for Committee consideration

RECOMMENDATION

The Board will be asked to approve the Consent Agenda beginning on Page 186.

2. U.T. System Board of Regents: Discussion and appropriate action regarding amendments to Regents' *Rules and Regulations*, Rule 20201 (Presidents) concerning president vision and plans

RECOMMENDATION

The Chancellor recommends that the U.T. System Board of Regents approve the proposed revisions to Regents' *Rules and Regulations*, Rule 20201 (Presidents), regarding president vision and plans, as set forth below.

Sec. 5 Evaluation

~~5.1 Within 12 months of beginning service as president, the new president will provide the Board with a statement outlining a vision and plans for the future of the institution. The presentation may be deferred for six months, if deemed appropriate by the Chancellor and the appropriate Executive Vice Chancellor after consultation with the Chairman of the Board.~~

5.1~~2~~ Each president will have an annual performance evaluation, conducted by the Chancellor and the appropriate Executive Vice Chancellor, and presented to the Board for discussion.

5.2~~3~~ Each president will receive a comprehensive performance review by the appropriate Executive Vice Chancellor, the Chancellor, and the Board at the conclusion of each five-year period, beginning after the first year of service as president. The review may include an interview with the Board in Executive Session~~ during which the president will outline his or her renewed vision and plans for the future of the institution~~.

…

BACKGROUND INFORMATION

Regents' Rule 20201 currently requires that a president formally present to the Board a vision and plans for the institution. This presentation is in addition to other periodic presentations, including campus master plans, strategic plans, and long-range financial plans. The proposed revision removes the requirement to separately present the vision and plans. If approved, this material will be incorporated in other Board presentations as relevant. This revision was developed in collaboration with stakeholders throughout the U.T. System.

3. U.T. System Board of Regents: Discussion and appropriate action regarding proposed revisions to rules within Regents' *Rules and Regulations,* Series 30000: Personnel, Rules 30101-30301, Regents' Rules 10501, 31002, 31008 and the Systemwide Sexual Misconduct Model Policy

RECOMMENDATION

The Chancellor and the General Counsel to the Board recommend that the U.T. System Board of Regents approve revisions to rules within Regents' *Rules and Regulations,* Series 30000: Personnel, Rules 30101-30301 and Regents' Rules 10501, 31002, and 31008, as they appear on the following pages, and the Systemwide Sexual Misconduct Model Policy (the Model Policy), which is available online.

BACKGROUND INFORMATION

The U.T. System Board of Regents Office is charged with maintaining the Regents' *Rules and Regulations,* including periodically reviewing the Rules for opportunities to improve efficiency and usability.

The proposed revised Regents' Rules Series 30000 were developed in collaboration with stakeholders throughout the U.T. System and are drafted to clarify and update policies and simplify and modernize language.

Significant proposed revisions to the Rules include:

- Rule 30102: General Appointment Information
    - Incorporates material from Rules 30107 and 30108 regarding statutorily required hiring preferences so that general appointment-related material is consolidated into one rule. Individual rules regarding hiring preferences would be deleted.
- Rule 30103: Standards of Conduct
    - Adds language to articulate expectation that employees comply with System and institutional policies in addition to state and federal law.
- Rule 30112: Training and Education
    - Deletes material that is redundant to statutory language.
- Rule 30201: Leave Policies
    - Deletes material that is redundant to statutory language.
    - Authorizes institutions to develop leave policies to accommodate faculty taking leave from instructional duties within certain parameters.

- Rules 30203 and 30204: Sick Leave Pool and Family Leave Pool
    - Deletes material that is redundant to statutory language or that relates to operational matters that are better managed administratively.
- Rule 30301: Employment of Retirees
    - Deletes Rule and incorporates relevant material into Rule 10501 (material regarding delegation) and Rule 31002 (material regarding restrictions on modified faculty appointments).
- Rule 31008: Termination of a Faculty Member
    - Streamlines overall process so that it may be completed more efficiently while still providing for procedural due process.
    - Removes operational details from Regents' Rule for incorporation into administrative policy UTS 198.
    - Removes sexual misconduct cases from operation of rule. These cases will proceed under the Model Policy, which is being concurrently presented.
- Systemwide Sexual Misconduct Model Policy
    - Provides a process to terminate employment of tenured faculty for sexual misconduct. Process is designed to fulfill legal due process requirements previously included in Rule 31008 and continue to provide for Board consideration of a recommendation of termination.

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30101**

1. Title

Classified Personnel Pay Plan

2. Rule and Regulation

Sec. 1 Classified Personnel Pay Plan. The institutions of the U.T. System and System Administration shall adopt and maintain a classified personnel pay plan that conforms to the guidelines established by the Chancellor in a U.T. System policy. Each institution's president shall be responsible for the development and operation of the respective institution's classified personnel pay plan. The Chancellor shall be responsible for the development and operation of System Administration's classified pay plan.

3. Definitions

None

4. Relevant Federal and State Statutes

None

5. Relevant System Policies, Procedures, and Forms

The University of Texas Systemwide Policy UTS133, *Classified Pay Plan*

6. System Administration Office(s) Responsible for Rule

Office of Talent

7. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30102**

1. Title

General Appointment Information

2. Rule and Regulation

Sec.1 Appointment of Employees. The Board of Regents delegates to the Chancellor and the institutional presidents the respective authority to appoint employees and agents of The University of Texas System Administration and the institutions and, subject to State and federal laws, to assign the duties, rights, and privileges of each employee or each class or group of employees, except as provided by these Rules.

Sec. 2 Best Interest. All appointments shall be on the basis of merit and shall comply with the provisions of *Texas Education Code* Section 51.948, which requires that any agreement with higher education administrators be executed only after a finding that the agreement is in the best interest of the U.T. System or any of the institutions. Authority to make such findings is delegated to the president or chief business officer of the institution and to the Chancellor for employees not covered by Regents' *Rules and Regulations,* Rule 10501, Section 3.5.

Sec. 3 As provided in the Texas Constitution Article I, Section 4, and by statute, no religious qualification shall be required for appointment to any position.

Sec. 4 Employment Preferences. The U.T. System recognizes and administers employment preferences as required by law, such as those for former foster children and veterans. The Board delegates to the Chief Administrative Officer of each institution the authority to review and resolve all written complaints regarding the application of such preferences in accordance with state law. The decision of the Chief Administrative Officer shall be final.

3. Definitions

None

4. Relevant Federal and State Statutes

Texas Constitution Article I, Section 4 – Religious Tests

Texas Education Code Section 51.943 – Renewal of Faculty Employment Contracts

Texas Education Code Section 65.38 – Nonsectarian

Texas Government Code, Chapter 657 – Military Employment Preferences

Texas Government Code, Chapter 672 – Employment Preference for Former Foster Children

5. Relevant System Policies, Procedures, and Forms

None

6. System Administration Office(s) Responsible for Rule

Office of Talent

7. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30103**

1. Title

Standards of Conduct

2. Rule and Regulation

Sec. 1 Statutory and Policy Compliance. Every employee is expected to obey all federal, state, and local laws, and Board of Regents, University of Texas System, and institutional rules and policies. Any employee who violates any provision of these laws or policies is subject to disciplinary action, including dismissal, notwithstanding any action by civil authorities on account of the violation.

Sec. 2 Disruption of Activities. Any employee who, acting singly or in concert with others, obstructs, disrupts, or interferes with any teaching, educational, research, administrative, disciplinary, public service, or other activity, meeting, or event authorized to be held or conducted on campus or on property or in a building or facility owned or controlled by The U.T. System or any of the institutions is subject to disciplinary action, including dismissal. Obstruction or disruption includes but is not limited to any act that interrupts, modifies, or damages utility service or equipment, communication service or equipment, university computers, computer programs, computer records, or computer networks accessible through institutional computer resources.

Sec. 3 Channel for Communication. The Board of Regents is the only proper channel through which recommendations concerning the administration of the System or any of the institutions, as a whole or in any of its parts, should be communicated to the Legislature or other state agencies or officials.

Sec. 4 Public Office.

4.1 Conflict of Interest. Subject to the other provisions of these Rules, an employee of the U.T. System or any of the institutions may hold other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States if holding the other offices or positions is of benefit to the state or is required by state or federal law and if there is no conflict between holding the office or position and holding the office or position with the U.T. System or any of the institutions for which the employee receives salary or compensation.

4.2 Prior Board Approval. Before an employee of the U.T. System or any of the institutions 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 employee must obtain from the appropriate administrative officials and the Board a finding via the Consent Agenda that the requirements of this Section have been fulfilled. The Consent Agenda entry shall also record any compensation the employee is to receive from the nonelective office or position, including salary, bonus, or per diem payment.

Sec. 5 Political Activities.

5.1 Right of Participation. The Board of Regents recognizes the right of employees to participate in political activities provided such activities are not conducted during work hours unless the employee uses accrued compensatory or vacation leave; are in compliance with state law; do not interfere with the discharge and performance of an employee's duties and responsibilities; do not involve the use of equipment, supplies, or services of the U.T. System or any of the institutions; do not involve the impermissible use of University facilities; do not involve the attempt to coerce students, faculty, or staff to participate in or support the political activity; and do not involve the U.T. System or any of the institutions in partisan politics.

5.2 Leave Without Pay. With the interest of the U.T. System and any of the institutions being given first consideration, a leave of absence without pay pursuant to Regents' *Rules and Regulations*, Rule 30201, may but need not be granted to an employee to participate in political activities. However, a leave of absence without pay shall not be granted to an employee of the U.T. System or any of the institutions for the purpose of being a candidate for an elective public office, holding an elective public office, or directing the political campaign of a candidate for an elective public office.

5.3 Interference with Job Duties. An employee who wishes to engage in political activity that will interfere with the performance of his or her duties and responsibilities should voluntarily terminate employment. If the president

of the institution, the Chancellor, an Executive Vice Chancellor, or the Board of Regents finds that the employee's political activity interferes with the performance of his or her duties and responsibilities or does not comply with the requirements of this subsection, the employee shall be subject to appropriate disciplinary action, including possible termination.

Sec. 6 Opinions for Advertising Purposes. Employees may not offer professional opinions, endorsements, or testimonials in an official capacity for advertising purposes without appropriate authorization from U.T. System Administration or the employee's institution.

3. Definitions

None

4. Relevant Federal and State Statutes

Texas Education Code Section 51.935 – Disruptive Activities

Texas Penal Code Section 42 – Disorderly Conduct and Related Offenses

Texas Penal Code Section 46.03 – Places Weapons Prohibited

5. Relevant System Policies, Procedures, and Forms

Regents' *Rules and Regulations,* Rule 31008 – Termination of a Faculty Member

Regents' *Rules and Regulations,* Rule 30601 – Discipline and Dismissal of Classified Employees

Regents' *Rules and Regulations,* Rule 30602 – Employee Grievance

Regents' *Rules and Regulations,* Rule 30104 – Conflict of Interest, Conflict of Commitment, and Outside Activities

6. System Administration Office(s) Responsible for Rule

Office of General Counsel
Office of Talent

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30103**

7. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30104**

1. Title

Conflict of Interest, Conflict of Commitment, and Outside Activities

2. Rule and Regulation

Sec. 1 Primary Responsibility. The primary responsibility of employees of the U.T. System Administration and each of the U.T. System institutions is the accomplishment of the duties and responsibilities assigned to one's position of appointment.

Sec. 2 Outside Work or Activity. Employees may engage in work or activity with outside entities and individuals, including governmental agencies, industry, or other educational institutions, so long as such work or activity complies, as applicable, with the approval and disclosure requirements of Section 6 below and does not violate State laws or U.T. System Administration or U.T. System institution rules or policies governing the conduct of employees, including ethics standards and provisions prohibiting conflicts of interest, conflicts of commitment, and the use of State resources.

Sec. 3 Unmanaged Conflicts of Interest Prohibited. U.T. employees may not have a direct or indirect interest, including financial and other interests, or engage in a business transaction or professional activity, or incur any obligation of any nature that is in substantial conflict with the proper discharge of the employee's duties in the public interest.

Sec. 4 Conflicts of Commitment Prohibited. Activities on behalf of outside entities or individuals must not interfere with a U.T. employee's fulfillment of his/her duties and responsibilities to the University. Such conflicts of commitment may arise regardless of the location of these activities (on or off campus), the type of outside entity (individual, for-profit, not-for-profit, or government), or the level of compensation (compensated or unpaid).

Sec. 5 Protection of Intellectual Property and Other Assets. Each University of Texas institution shall have a policy in place to provide for disclosure and management of substantial foreign relationships. Substantial relationships between any U.T. officer or employee, including a faculty member or researcher, and programs sponsored, funded, directed, or controlled by a foreign government, foreign agency, or foreign institution are prohibited,

unless properly and timely disclosed in accordance with an institution's applicable policy. Such institutional policies shall be submitted in writing to the appropriate Executive Vice Chancellor and approved by the U.T. System Office of General Counsel and the Executive Vice Chancellor.

Sec. 6 Approval and Disclosure Requirements. U.T. System Administration and each institution shall adopt policies that clearly delineate the nature and amount of permissible outside work or activities. The policies shall include provisions to prevent, identify, and manage conflicts of interest and conflicts of commitment and shall include specific processes for disclosing such work or outside activities, as well as the procedures for obtaining and documenting institutional approval to carry out such engagements, consistent with this Rule.

6.1 Approval Required for Outside Activities. U.T. System Administration shall establish a policy providing requirements for the approval and disclosure of outside activities for employees: (1) authorized to execute contracts on behalf of U.T. System Administration or a U.T. System institution, (2) authorized to exercise discretion with regard to the award of contracts or other pecuniary transactions, and (3) who are Executive Officers of U.T. System Administration or a U.T. System institution. Disclosure and approvals for the presidents will be made to the Chancellor. Disclosure and approvals for the Chancellor, the General Counsel to the Board, and the Chief Audit Executive will be made to the Chairman of the Board.

6.2 U.T. System Administration and each institution shall adopt a policy governing an officer's or employee's outside activities, including compensated employment and board service, that clearly delineates the nature and amount of permissible outside activities and that includes processes for disclosing the outside activities and for obtaining and documenting institutional approval to perform the activities.

6.3 Additional Financial Disclosures. All officers and employees shall, in a timely manner, furnish such additional written financial disclosures as may be required by State or federal authorities or by U.T. System Administration or institutional authorities.

6.4 Electronic Database. Disclosure of outside activity, documentation of requests for approval, and subsequent approvals required above shall be maintained in an electronic database, following guidelines provided by U.T. System Administration.

Sec. 7 Public Service Consultation. Employees may be asked, from time to time, to provide expertise and counsel for the benefit of the public without additional compensation, including where an employee's duties are typically limited to work performed for the institution. Any such service must not interfere with the employee's regular duties and responsibilities and must be undertaken in a manner that avoids undue competition with legitimate private providers.

Sec. 8 Separation of Activities. If a U.T. System employee engages in any outside activity, the employee must make it clear to the employer that the work is unofficial and that the name of the U.T. System or any U.T. institution is not in any way to be connected with the employee's name, except for identification purposes in a way that avoids the appearance of endorsement or support by U.T. System or any U.T. institution. No employee engaged in outside activities shall use in connection with those activities the official stationery of the System or official U.T. contact information.

Sec. 9 Use of University Property. U.T. System Administration and U.T. System institutional property may only be used for State purposes appropriate to the System or institutional mission.

Sec. 10 Noncompliance. Noncompliance with this Rule subjects an employee to disciplinary action, including termination, in accordance with applicable procedures.

3. Definitions

Executive Officer - includes, but is not limited to, the Chancellor or president, all individuals who report directly to the Chancellor or president (other than administrative support positions), and any employee who exercises broad and significant discretion over key institution or U.T. System functions.

4. Relevant Federal and State Statutes

Texas Government Code, Chapter 572 – Personal Financial Disclosure, Standards of Conduct, and Conflict of Interest

5. Relevant System Policies, Procedures, and Forms

Regents' *Rules and Regulations*, Rule 30103 – Standards of Conduct

Regents' *Rules and Regulations*, Rule 90101 – Rules for Intellectual Property: Purpose, Scope, Authority

The University of Texas System Office of Systemwide Compliance Ethics Standards

The University of Texas Systemwide Policy UTS 118, *Dishonest or Fraudulent Activities*

The University of Texas Systemwide Policy UTS 134, *Code of Ethics for Financial Officers and Employees*

The University of Texas Systemwide Policy UTS 175, *Disclosure of Significant Financial Interests and Management and Reporting of Financial Conflicts of Interest in Research*

The University of Texas Systemwide Policy UTS 180, *Conflicts of Interest, Conflicts of Commitment, and Outside Activities*

The University of Texas System HOP 1.1.1 Conflicts of Interest, Conflicts of Commitment, and Outside Activities

The University of Texas System HOP 1.1.2 Outside Activity Policy

6. System Administration Office(s) Responsible for Rule

Office of Systemwide Compliance

7. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30105**

1. Title

Sexual Harassment, Sexual Misconduct, and Consensual Relationships

2. Rule and Regulation

Sec. 1 Environment. The educational and working environments of The University of Texas System and all of the institutions shall be free from sexual harassment, sexual misconduct, inappropriate consensual relationships, and other inappropriate sexual conduct, as defined by U.T. Systemwide model policies referenced below. Engaging in such conduct or relationships is unprofessional and unacceptable.

Sec. 2 Adoption of Policies.

2.1 Adoption of Sexual Misconduct Policies. Each U.T. institution and U.T. System Administration shall adopt policies and procedures prohibiting sexual harassment, sexual misconduct, and other inappropriate sexual conduct, in compliance with federal and state law, including *Texas Education Code* Section 51.282. The policies must be in substantial compliance with model policies and procedures promulgated by the U.T. System Office of Systemwide Compliance as approved by the Board of Regents. The Office of Systemwide Compliance must review the model policies each biennium and submit any substantive changes to the Board for approval. If substantive changes to the model policy are approved by the Board, each institution must adopt those substantive changes in its policies. Additional substantive changes to an institution's policy that were not approved by the Board in the model policy must be submitted to the Board for approval following review and approval by the Offices of Systemwide Compliance and General Counsel.

2.2 Adoption of Consensual Relationship Policies. Each U.T. institution and U.T. System Administration shall adopt policies and procedures regarding consensual relationships that are consistent with federal and state law and in compliance with the model policy promulgated by the Office of General Counsel.

Sec. 3 Publication of Policies. The institution's policies and procedures must be published through the institution's website on a web

page dedicated solely to the policy through the institution's website and in the institution's *Handbook of Operating Procedures* and student handbook after review and approval by the appropriate Executive Vice Chancellor and the Board.

3. Definitions

None

4. Relevant Federal and State Statutes

Equal Employment Opportunity Commission, *Guidelines on Discrimination Because of Sex* (defining sexual harassment), 29 Code of Federal Regulations Section 1604.11(a)

Title IX Regulations, 34 Code of Federal Regulations Part 106

Violence Against Women Act, 34 Code of Federal Regulations Part 668

Texas Education Code Section 51.282 – Policy on Sexual Harassment

Texas Penal Code Annotated. Section 39.03 – Official Oppression

5. Relevant System Policies, Procedures, and Forms

The University of Texas Systemwide Policy UTS 105, *Sexual Orientation Nondiscrimination Policy*

The University of Texas Systemwide Policy UTS 184, *Consensual Relationships*

The University of Texas System HOP 3.7.1, Sexual Harassment and Misconduct

U.T. System Model Policy, Sexual Misconduct

U.T. System Model Policy, Consensual Relationships

6. System Administration Office(s) Responsible for Rule

Office of Academic Affairs
Office of Health Affairs
Office of General Counsel
Office of Talent
Office of Systemwide Compliance

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30105**

7. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30106**

1. Title

Nepotism

2. Rule and Regulation

Sec. 1 Statutory Requirement. *Texas Government Code,* Chapter 573 prohibits public officials from appointing, confirming the appointment of, or voting for any individual to a position that is to be directly or indirectly compensated from public funds or fees of office if the individual is related to the public official within the second degree by affinity or within the third degree by consanguinity.

Sec. 2 System Requirement. Even though the appointment of a person would not be prohibited by the *Texas Government Code*, no employee of The University of Texas System or any of the institutions may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such employee as outlined in Sections 2.4 or 2.5 regardless of the source of funds for the payment of salary. This provision also includes individuals hired as private contractors.

2.1 Supervision. If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the specified degree, all subsequent actions with regard to the evaluation, reappointment, promotion, or salary shall be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and to submit each review for approval or disapproval by the institution's Chief Human Resources Officer in the case of classified employees or the Chancellor or the president in the case of faculty or non-classified employees.

2.2 Promotion. 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 reappointment, promotion, or salary of a person who is related to them within the above degree specified, all subsequent actions regarding the evaluation,

reappointment, promotion, or salary of such person shall be made by the next highest supervisor.

2.3 Marriage. The provision of Section 2.1 of this Rule shall apply to situations where two employees marry and one spouse is the supervisor of the other.

2.4 Relationship by Blood. Relationship by blood (consanguinity) as determined by *Texas Government Code,* Chapter 573 (see also Figure 1 in the Relationships by Consanguinity or Affinity chart):

(a) First degree is the employee's father, mother, son, or daughter.

(b) Second degree is the employee's brother, sister, grandfather, grandmother, grandson, or granddaughter.

(c) Third degree is the employee's uncle or aunt (who is a brother or sister of the employee's parent), nephew or niece (who is a child of the employee's brother or sister), great-grandfather, great-grandmother, great-grandson or great-granddaughter.

2.5 Relationship by Marriage. Relationship by marriage (affinity) as determined by *Texas Government Code,* Chapter 573 (see also Figure 2 in the Relationships by Consanguinity or Affinity chart):

(a) First degree is the employee's spouse, father-in-law, mother-in-law, son-in-law, daughter-in-law, stepparent, or stepchild.

(b) Second degree is the employee's brother-in-law (sister's spouse or spouse's brother), employee's sister-in-law (brother's spouse or spouse's sister), spouse's grandfather, spouse's grandmother, spouse's grandson, spouse's granddaughter, spouse of the employee's grandparent, or spouse of the employee's grandchild.

3. Definitions

Affinity – relationship by marriage. According to *Texas Government Code* Section 573.024, two individuals are related by affinity if:

A. they are married to each other; or
B. the spouse of one of the individuals is related by consanguinity to the other individual.

Consanguinity – relationship by blood or origin. According to *Texas Government Code* Section 573.022:

1. Two individuals are related to each other by consanguinity if:

   a. one is a descendant of the other; or
   b. they share a common ancestor.

2. An adopted child is considered to be a child of the adoptive parent for this purpose.

Public official – defined in *Texas Government Code* Section 573.001(3) as:

A. An officer of this state or of a district, county, municipality, precinct, school district, or other political subdivision of this state;
B. An officer or member of a board of this state or of a district, county, municipality, school district, or other political subdivision of this state; or
C. a judge of a court created by or under the statute of this state.

4. Relevant Federal and State Statutes

Texas Government Code, Chapter 573 – Nepotism Prohibitions

5. Relevant System Policies, Procedures and Forms

The University of Texas Systemwide Policy UTS 120, *Spousal Travel Policy*

6. System Administration Office(s) Responsible for Rule

Office of General Counsel
Office of Talent

7. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30107**

1. Title

Veteran's Employment Preferences

2. Rule and Regulation

[Deleted. Material incorporated into Rule 30102.]

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30108**

1. Title

Employment Preferences for Former Foster Children

2. Rule and Regulation

[Deleted. Material incorporated into Rule 30102.]

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30112**

1. Title

Training and Education

2. Rule and Regulation

Sec. 1 Policy Requirements. U.T. System Administration and each institution must maintain policies that promote training programs of benefit to employees. Policies implemented must be consistent with provisions of the *State Employees Training Act*.

3. Definitions

None

4. Relevant Federal and State Statutes

Texas Government Code Section 656.041 et seq. – State Employees Training Act

5. Relevant System Policies, Procedures, and Forms

None

6. System Administration Office(s) Responsible for Rule

Office of Talent

7. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30201**

1. Title

Leave Policies

2. Rule and Regulation

Sec. 1 Employees are entitled to leave as authorized by applicable state and federal law and these Rules. The Chief Administrative Officer of each institution shall administer leave programs to ensure that leave is awarded and used in compliance with applicable laws and policies.

Sec. 2 Unpaid Leave of Absence. Unpaid Leave of Absence is defined as a period of leave during which the individual does not receive compensation from any source of funds administered by the institution for either all or part of the employee's regular appointment. Unpaid leaves of absence may be granted for a full year (academic, fiscal, or rolling 12-month calendar) or a portion of a year, subject to the general conditions included herein.

Unpaid leaves of absence for a first year or portion thereof or a second consecutive year's leave may be granted by the Chancellor or president. Leaves of absence for a third consecutive year will be granted only for the reasons outlined in Section 3.2 below, following review and approval by the appropriate Executive Vice Chancellor.

2.1 Unpaid Leave of One Year or Less. The maximum period that an initial unpaid leave of absence will be granted is 12 months from when the leave begins. Institutions may adopt policies to address unpaid leaves of absence for less than one year. Institutional policies related to faculty leaves shall address the conditions under which faculty may be eligible for subsequent leaves of absence, such as timing and duration.

2.2 Unpaid Leave of More Than One Year. Unpaid leaves of absence may be extended to a maximum of three years in accordance with this Section.

A second consecutive year of leave will only be granted in unusual circumstances such as military service, reasons of health, continued graduate study, and public service or other activity that reflects credit on the institution and enhances an individual's ability to make subsequent contributions to the institution.

A third consecutive leave of absence for one year will only be granted in very unusual circumstances.

After a return to duty of one year, the employee may request a subsequent unpaid leave of absence, subject to the conditions above.

2.3 Exhaust Leave. Unless otherwise provided by or authorized pursuant to law, all accumulated paid leave entitlement must be exhausted before a leave of absence without pay may be granted, with the additional provision that sick leave must be exhausted only in those cases where the employee is eligible to take sick leave.

2.4 Family and Medical Leave. Upon expiration of Family and Medical Leave, an employee may be eligible for a leave of absence under this section.

Sec. 3 Faculty Leave from Instructional Duties. Institutions may develop policies to allow faculty to take leave from assigned instructional duties, but maintain a faculty appointment, when it is of benefit to the institution. Permissible uses of such leave include, but are not limited to, research appointments to contracts and grants administered by the institution; development leave, as provided by *Texas Education Code* Section 51.101 *et seq*.; institutional research awards; Intergovernmental Personnel Act (IPA) assignments with federal or state agencies; and awards from external funding agencies.

Such policies shall provide that leave from instructional duties may be approved for a period not to exceed one academic year. A separate request and approval are required for any extension. No faculty member may remain on leave from instructional duties for more than three consecutive years without returning to instructional duties.

Sec. 4 Compensatory Leave. Compensatory time for those employees exempted from the *Fair Labor Standards Act* shall be determined by the Chancellor or president of the institution involved, or their respective designees, and set forth in the respective institution's policy and procedures.

Sec. 5 Alternative Comprehensive Leave Policy. As an alternative to the leave policy set out in this rule, institutions may adopt an alternative comprehensive leave policy in compliance with *Texas Education Code* Section 51.961. Such a policy must be approved

by the Board. Board approvals for such policies can be found in the Relevant System Policies, Procedures, and Forms section, below.

3. Definitions

None

4. Relevant Federal and State Statutes

Armed Forces (10 U.S.C. Sec. 101 et seq.)

Fair Labor Standards Act of 1938 (29 U.S.C, Chapter 8)

Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2601)

Families First Coronavirus Response Act (29 U.S.C. Sec. 2620), and its implementing regulation at 29 C.F.R 826, regarding paid leave under the *Families First Coronavirus Response Act*
National Guard (32 U.S.C. Sec. 101 et seq.)

Uniformed Services Employment and Reemployment Rights Act of 1994 (38 U.S.C. Sec. 4301)

Texas Education Code Section 51.101 – Definitions; Faculty Development Leaves of Absence

Texas Education Code Section 51.961 – Leave Provisions for Employees of University System or Component Institution of System

Texas Government Code Section 437.202 – Leave of Absence for Public Officers and Employees

Texas Government Code Section 437.254 – Employees in Texas Military Forces; Emergency Leave

Texas Government Code Section 659.023 – Compensatory Time Policy

Texas Government Code Section 659.005 – Witness Fees; Jury Service

Texas Government Code Section 661.202 – Entitlement to Sick Leave; General Provisions and Procedures

Texas Government Code Section 661.904 – Military Leave During National Emergency

Texas Government Code Section 661.9041 – Differential Pay

Texas Government Code Section 661.905 – Volunteer Firefighters, Emergency Medical Services Volunteers, and Search and Rescue Volunteers

Texas Government Code Section 661.909 – Leave Without Pay

Texas Government Code Section 661.911 – Administrative Leave With Pay

Texas Government Code Section 661.916 – Leave for Organ or Bone Marrow Donors

Texas Government Code Section 661.917 – Donation of Blood

5. Relevant System Policies, Procedures, and Forms

Regents' Rules and Regulations, Rule 30203 – Sick Leave Pool

Regents' *Rules and Regulations*, Rule 30204 – Family Leave Pool

6. System Administration Office(s) Responsible for Rule

Office of Academic Affairs
Office of Health Affairs
Office of Talent

7. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30202**

1. Title

Employee Benefits

2. Rule and Regulation

Sec. 1 Optional Retirement Program. As authorized by *Texas Government Code*, Chapter 830, eligible employees may participate in the Optional Retirement Program (ORP) administered by the U.T. System and established pursuant to *Internal Revenue Code* Section 403(b).

1.1 Delegation of Authority. The Board of Regents delegates to the Chancellor authority to approve the ORP employer contribution rates for all institutions and U.T. System Administration in accordance with rules issued by the Texas Higher Education Coordinating Board. The Board of Regents further delegates to the Executive Vice Chancellor for Business Affairs the authority to sign and amend the ORP plan documents consistent with applicable law and to take all actions and make all decisions and interpretations necessary or appropriate to administer and operate the ORP consistent with the plan documents. The Executive Vice Chancellor for Business Affairs will perform, or cause to be performed, such record keeping functions as necessary to administer and maintain the Program in accordance with *Internal Revenue Code* Section 403(b), consistent with *Texas Government Code* Section 830.001 et seq.

Sec. 2 Excess Benefits Plan. The Board of Regents authorizes the establishment of a "governmental excess benefits plan" for the Optional Retirement Program, authorized under *Internal Revenue Code* Section 415(m) and *Texas Government Code* Section 830.004 and designated as The University of Texas Governmental Retirement Arrangement (UTGRA).

2.1 Eligibility. Eligibility for participation shall be based on an employee's date of initial participation in the Optional Retirement Program and the employee's level of earnings. Participation in the program and all subsequent distributions shall be in accordance with the plan documents.

2.2 Delegation of Authority. The Board of Regents delegates to the Executive Vice Chancellor for Business Affairs the power and authority to amend the plan documents consistent with applicable law and to take all actions and make all decisions and interpretations necessary or appropriate to administer and operate UTGRA consistent with the plan documents.

2.3 Ownership. All funds participating in UTGRA including the monthly State contribution, amounts reduced from each participant's salary, and any subsequent investment earnings are the property of the Board of Regents until such time as an authorized distribution is executed in accordance with the plan documents.

2.4 Trustee and Record Keeper. The University of Texas System shall serve as trustee and record keeper for UTGRA.

Sec. 3 Group Insurance Plans. The Chancellor shall administer all group insurance, health benefit programs, and cafeteria plans authorized by law for employees of the U.T. System and any of the institutions.

Sec. 4 Back-up Dependent Care. The Board of Regents authorizes U.T. System Administration or any U.T. institution to establish a back-up dependent care program for disruptions in child, adult, or elder dependent caregiving arrangements, so that employees may continue to fulfill work obligations.

Sec. 5 Workers' Compensation Insurance. Pursuant to *Texas Labor Code* Section 503.001 et seq., a self-insured Systemwide Workers' Compensation Insurance (W.C.I.) Program will provide certain benefits for injuries sustained in the course and scope of employment.

5.1 Investigation of Injuries. The Office of Risk Management shall investigate injuries with the assistance of other appropriate System Administration and institution offices.

5.2 Reporting. The institutions of the U.T. System shall be responsible for submitting reportable work-related injuries to the Office Risk Management. The Office of Risk Management shall file required reports with the Texas

Department of Insurance - Division of Workers' Compensation (TDI-DWC).

5.3 Safety Activities. The Office of Risk Management shall coordinate occupational safety and health activities.

5.4 Funding. A percentage of annual payroll, as approved by the Executive Vice Chancellor for Business Affairs, shall be set aside to fund the Workers' Compensation Insurance Fund (W.C.I. Fund).

(a) Each institutional chief business officer shall be responsible for the transmission of amounts to be added to the W.C.I. Fund for all salaries paid, as instructed by the Office of Risk Management.

(b) The W.C.I. Fund must be deposited or invested in the same manner as other local institutional funds as specified in these *Rules and Regulations*.

5.5 Processing of Claims. The Office of Risk Management shall be responsible for processing all W.C.I. claims for medical care and compensation.

5.6 Report on Fund. The Office of Risk Management shall prepare an annual report on the status of the W.C.I. Fund for the Board of Regents.

Sec. 6 Unemployment Compensation Insurance. The Unemployment Compensation Insurance (U.C.I.) Fund is established by the Board of Regents to be deposited or invested in the same manner as other local institutional funds. The Office of Risk Management shall administer funding by assessment on all salary sources that are eligible for benefits from the Systemwide U.C.I program up to the maximum reportable wages of $9,000 per employee, per calendar year.

6.1 Reimbursements to the State. The Systemwide U.C.I Program will reimburse the State from the U.C.I. Fund for claims charge-backs paid by the State Comptroller for former employees in accordance with *Texas Labor Code* Section 205.001 et seq.

6.2 Assessed Rates. Assessment rates shall be calculated to provide minimum U.C.I. Fund balance fluctuations and

maximum rate stability. Each institutional chief business officer shall be responsible for the transmission of such assessed amounts, as instructed by the Office of Risk Management.

6.3 Administrator. The Office of Risk Management, working in coordination with appropriate System and institution offices, shall administer the U.C.I. Program and provide assistance as necessary to the institutions of the U.T. System.

6.4 Annual Report. The Office of Risk Management shall prepare an annual report on the status of the U.C.I. Fund for the Board of Regents.

Sec. 7 UTSaver Deferred Compensation Plan. As authorized by *Texas Government Code,* Chapter 609, any employee may participate in the UTSaver Deferred Compensation Plan administered by the U.T. System and established pursuant to *Internal Revenue Code* Section 457(b).

7.1 Delegation of Authority. The Board of Regents delegates to the Executive Vice Chancellor for Business Affairs the power and authority to amend the UTSaver Deferred Compensation Plan consistent with applicable law and to take all actions and to make all decisions and interpretations that may be necessary or appropriate to administer and operate the UTSaver Deferred Compensation Plan, as further provided in the UTSaver Deferred Compensation Plan. The Executive Vice Chancellor for Business Affairs will perform, or cause to be performed, such record keeping functions as necessary to administer and maintain the Plan in accordance with *Internal Revenue Code* Section 457(b), consistent with *Texas Government Code,* Chapter 609.

Sec. 8 Discretionary Bonus Plans. As authorized by *Texas Revised Civil Statutes Annotated* Article 6228a-5, Section 3(a), the Board approves the establishment of deferred compensation – Section 457(f) discretionary bonus plans.

8.1 Purpose of the Plans. Such plans provide financial incentives in recruiting highly qualified candidates for employment and encouraging existing qualified

employees to continue to devote their best efforts to the service of the institutions of the U.T. System.

8.2 U.T. System Plan. The Board has established a deferred compensation – *Internal Revenue Code* Section 457(f) discretionary bonus plan pursuant to Section 457(f) , for the benefit of a select group of employees as defined by the Board.

(a) Delegation of Authority. The Board of Regents delegates to the Executive Vice Chancellor for Business Affairs the power and authority to amend the U.T. System Deferred Compensation Plan consistent with applicable law and to take all actions and to make all decisions and interpretations that may be necessary or appropriate to administer and operate the U.T. System Deferred Compensation Plan as further provided in such Plan.

(b) Record Keeping. The Executive Vice Chancellor for Business Affairs will perform, or cause to be performed, such record keeping functions as necessary to administer and maintain such Plan in accordance with *Internal Revenue Code* Sections 457(f) and 409A consistent with *Texas Revised Civil Statutes Annotated* Article 6228a-5, Section 3(a).

8.3 Institution Prototype Plan. The Board of Regents has promulgated a prototype deferred compensation – Section 457(f) discretionary bonus plan which may be adopted by the various academic or health institutions. Only employees of the adopting institution with the appropriate approvals may participate in the Prototype Plan as adopted.

(a) Administration of the Plan. The Board of Regents delegates to the Executive Vice Chancellor for Business Affairs the authority to amend the Prototype Plan consistent with applicable law and to take all actions and to make all decisions and interpretations that may be necessary or appropriate to administer and operate the Prototype Plan.

(b) Delegation to the Executive Vice Chancellor. The Board of Regents delegates to the Executive Vice

Chancellor for Academic Affairs or the Executive Vice Chancellor for Health Affairs, as appropriate, the authority to approve an institution's adoption of the Prototype Plan, designation of an eligible employee to participate in such Plan, and the setting of the amount of deferred compensation to be made available to the eligible employee under such Plan.

(c) Delegation to the President. The Board of Regents delegates to the president of the adopting institution the authority to designate eligible employees of such institution to participate in the Prototype Plan and the amount of deferred compensation with the approval of the appropriate Executive Vice Chancellor. The president will perform, or cause to be performed, such record keeping functions as necessary to administer and maintain the institution's adoption of the Institution Deferred Compensation Prototype Plan in accordance with *Internal Revenue Code* Sections 457(f) and 409A consistent with *Texas Revised Civil Statutes Annotated* Article 6228a-5, Section 3(a).

8.4 Not Eligible for Retirement Benefits. Deferred compensation is not part of the base salary and shall be reported as a separate element of the employee's cash compensation. Deferred compensation is not eligible for Teacher Retirement System or ORP retirement benefits or other retirement benefits.

Sec. 9 Tax-Sheltered Annuities (T.S.A.) – Voluntary Section 403(b) Plan. As authorized by *Texas Revised Civil Statutes Annotated* Article 6228a-5, Sections 1 and 2, the Board has established a voluntary program pursuant to *Internal Revenue Code* Section 403(b), for the benefit of all employees.

9.1 Delegation of Authority. The Board of Regents delegates to the Executive Vice Chancellor for Business Affairs the power and authority to amend the UTSaver Tax-Sheltered Annuity Program consistent with applicable law and to take all actions and make all decisions and interpretations that may be necessary or appropriate to administer and operate the UTSaver Tax-Sheltered Annuity Program. The Executive Vice Chancellor for Business Affairs will perform, or cause to be performed,

such record keeping functions as necessary to administer and maintain the Plan in accordance with *Internal Revenue Code* Section 403(b) , consistent with *Texas Revised Civil Statutes Annotated* Article 6228a-5, Sections 1 and 2.

9.2 Authorized Companies. An employee may purchase annuities or any investment authorized in *Internal Revenue Code of 1986* Section 403(b), as amended from a company authorized to provide T.S.A. products and services to employees of the U.T. System.

9.3 Listing of Companies. The University of Texas System shall maintain a listing of companies authorized to offer annuities or other investments under the UTSaver Tax-Sheltered Annuity Program.

Sec. 10 Payroll Deductions. As authorized by *Texas Education Code* Section 51.9611, the Board of Regents finds that a public purpose is served by and that employees are benefitted by allowing a payroll deduction for Educational Investment Programs.

10.1 Delegation. The Board delegates authority to the Chancellor to (1) establish a payroll deduction for Educational Investment Programs, (2) implement policies and procedures for the deduction, and (3) approve the collection of a fee to cover the costs of making the deduction.

10.2 Compliance. An authorized payroll deduction for any Educational Investment Program must comply with applicable State and federal laws. The proposed deduction must be at the written request of the employee and must state the amount to be deducted and the entity to which the deducted amount is to be transferred. The deduction will be in effect until revoked in writing by the employee, but the Chancellor may provide for enrollment periods.

Sec. 11 The adoption of any type of retirement benefit plan not listed in this Rule or mandated by State law requires the approval of the Board.

3. Definitions

Educational Investment Programs – accounts funded with after-tax dollars that permit an employee to either prepay or contribute to an account for paying a student's qualified education expenses at an eligible education institution as authorized under the *Internal Revenue Code of 1986,* as may be amended.

4. Relevant Federal and State Statutes

Internal Revenue Code Section 403(b)

Internal Revenue Code Section 409A

Internal Revenue Code Section 415(m)

Internal Revenue Code Section 457(b)

Internal Revenue Code Section 457(f)

Texas Education Code Section 51.9611

Texas Government Code Chapter 609 – Deferred Compensation Plans

Texas Government Code Section 830.001 et seq. – Optional Retirement Program

Texas Government Code Section 830.004(c) – Administration

Texas Labor Code Section 207.001 et seq. – Payment of Benefits

Texas Labor Code Section 503.001 et seq. – Workers' Compensation Insurance

Texas Revised Civil Statutes Annotated Article 6228a-5– Annuities or Investments for Certain Public Employees

5. Relevant System Policies, Procedures, and Forms

None

7. System Administration Office(s) Responsible for Rule

Office of Talent
Office of General Counsel
Office of Risk Management
Office of Business Affairs

8. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30203**

1. Title

Sick Leave Pool

2. Rule and Regulation

Sec. 1 Establishment of Sick Leave Pool. Pursuant to *Texas Government Code* Section 661.002 the Board of Regents is required to establish a program to allow a University of Texas System employee to voluntarily transfer previously earned sick leave to a sick leave pool. All institutions of the U.T. System shall establish and maintain a sick leave pool except for those institutions for which the Board of Regents has adopted a comprehensive leave policy in accordance with *Texas Education Code* Section 51.961.

Sec. 2 Sick Leave Pool Administration. The Chancellor and each institutional president shall designate an administrator to administer the sick leave pool in compliance with state law.

2.1 Regulations. The administrator shall adopt forms and regulations appropriate for administration of this rule.

2.2 Withdrawals. The decision of the administrator regarding withdrawals from the sick leave pool shall be final.

3. Definitions

Employee - an eligible employee of the U.T. System or any of the institutions. An eligible employee is defined as employed for at least 20 hours per week for a period of at least four and one-half months, and not employed in a position for which student status is required as a condition of the employment.

4. Relevant Federal and State Statutes

Texas Government Code Chapter 661, Subchapter A – State Employee Sick Leave Pool

Texas Education Code Section 51.961 – Leave Provisions for Employees

5. Relevant System Policies, Procedures, and Forms

None

7. System Administration Office(s) Responsible for Rule

Office of Talent

8. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30204**

1. Title

Family Leave Pool

2. Rule and Regulation

Sec. 1 Establishment of Family Leave Pool. Pursuant to *Texas Government Code* Section 661.022, the Board of Regents is required to establish a program to allow a University of Texas System employee to voluntarily transfer previously earned sick or vacation leave to a family leave pool and is required to adopt rules and prescribe procedures relating to the operation of the pool. All institutions of the U.T. System shall establish and maintain a family leave pool except for those institutions which are exempt under *Texas Education Code* Section 51.961, due to the adoption of a comprehensive leave policy.

The purpose of the state employee family leave program is to:

(1) provide eligible employees more flexibility in:

(A) bonding with and caring for children during a child's first year following birth, adoption, or foster placement; and

(B) caring for a seriously ill family member or the employee, including pandemic-related illnesses or complications caused by a pandemic; and

(2) allow employees to apply for leave time under the family leave pool.

Sec. 2 Family Leave Pool Administration. The Chancellor and each institutional president shall designate an administrator to administer the family leave pool in compliance with state law.

2.1 Regulations. The administrator shall adopt forms and regulations appropriate for administration of this rule.

2.2 Withdrawals. The decision of the administrator regarding withdrawals from the family leave pool shall be final.

3. Definitions

Employee - an eligible employee of the U.T. System or any of the institutions. An eligible employee is defined as employed for at least 20 hours per week for a period of at least four and one-half months, and not employed in a position for which student status is required as a condition of the employment.

4. Relevant Federal and State Statutes

Texas Government Code Section 661.022 – State Employee Family Leave Pool

Texas Education Code Section 51.961 – Leave Provisions for Employees

5. Relevant System Policies, Procedures, and Forms

Regents' *Rules and Regulations*, Rule 30203– Sick Leave Pool

7. System Administration Office(s) Responsible for Rule

Office of Talent

8. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 30301**

1. Title

Employment of Retirees

2. Rule and Regulation

[Deleted. Relevant material incorporated into Rule 10501 and Rule 31002.]

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 10501**

1. Title

Delegation to Act on Behalf of the Board

2. Rule and Regulation

Sec. 1 Operation of Rule

1.1 Generally. This Rule contains a non-exhaustive list of matters delegated by the Board of Regents. Matters specifically identified as not delegated in Section 3, Matters Not Delegated, require Board approval even if described in Section 2, Matters Delegated.

1.2 Scope and Conditions. The following matters are not subject to Sections 2 and 3 of this Rule.

1.2.1 Significant Contracts or Documents. Institutional presidents and executive officers at U.T. System Administration are responsible for identifying contracts, agreements, and other documents of such significance to warrant the prior approval of the Board of Regents, regardless of whether such approval would be required under this Rule. Each such matter so identified shall be presented to the Board by the Chancellor as an Agenda or Consent Agenda item at a meeting of the Board.

1.2.2 Statutory. Any power, duty, or responsibility that the Board has no legal authority to delegate, including any action that the Texas Constitution requires be taken by the Board of Regents.

1.2.3 UTIMCO. Management of assets by The University of Texas/Texas A&M Investment Management Company (UTIMCO), which is governed by contract and the provisions of Rules 70101, 70201, and 70401 of these *Rules and Regulations*.

1.2.4 Acceptance of Gifts. The acceptance, processing, or administration of gifts and bequests, which actions are governed by Rules 60101, 60103, 70101, and 70301 of these

Rules and Regulations and applicable policies of the Board of Regents.

1.3 Delegation Process. The primary delegate identified in these *Rules and Regulations* or in an official Board action may further delegate his or her delegated authority to a secondary delegate unless otherwise specified. Any such further delegation of authority must be made in writing and the primary delegate shall permanently maintain, or cause to be maintained, evidence of all such delegations. A secondary delegate may not further delegate authority to any other individual.

1.4 Delegate's Responsibilities. The primary delegate identified in these *Rules and Regulations* as authorized to execute and deliver on behalf of the Board of Regents various types of contracts, agreements, and documents shall maintain, or cause to be maintained, necessary and proper records with regard to all contracts, agreements, and documents executed and delivered pursuant to such delegated authority, in accordance with any applicable records retention schedule or policy adopted by the Board, the U.T. System Administration, or the institution. The primary delegate must also maintain, or cause to be maintained, sufficient accounting systems and procedures to assure that contracts, amendments, and renewals for the purchase of goods and services are presented to the Board for approval if required by these *Rules and Regulations*.

1.5 Signature Authority. The Board of Regents delegates to the Chancellor or the president of an institution authority to execute and deliver on behalf of the Board contracts, agreements, and other documents of any kind or nature following review and approval procedures as required by these Rules or for which authority has been delegated. Any officer or employee executing a document on behalf of the Board of Regents shall be responsible for ensuring that he or she has authority to act on behalf of the Board and that such authority is exercised in compliance with applicable conditions and restrictions. Documents executed on behalf of the Board pursuant to authority granted under these *Rules and Regulations* shall not require further certification or attestation.

1.6 Actions of the Board as Trustee. Authority delegated by the Board of Regents in these *Rules and Regulations* includes actions that may be taken by the Board in its capacity as trustee of any trust to the extent such delegation is permitted by law.

1.7 Power to Bind U.T. System. No employee of the U.T. System, as an individual or as a member of any association or agency, has the power to bind the U.T. System unless such power has been officially conferred in advance by the Board of Regents. Any action that attempts to change the policies or otherwise bind the U.T. System, taken by any individual or any association or agency, shall be ineffective and non-binding until the proposed action has been approved by the Board or a person acting under authority delegated by the Board.

1.8 Power to Authorize Expenditures. 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 U.T. System or any of the institutions or of the Board of Regents by any member of the respective staffs of the U.T. System or any of the institutions except:

1.8.1 In accordance with general or special budgetary apportionments authorized in advance by the Board of Regents and entered in its minutes; or

1.8.2 In accordance with authority specifically vested by the Board of Regents in a committee of the Board; or

1.8.3 In accordance with authority to act for the Board of Regents when it is not in session, specifically delegated by these *Rules and Regulations* or by special action of the Board.

1.9 Compliance with Special Instructions by U.T. System Administration Officers. All authority to execute and deliver contracts, agreements, and other documents is subject to these *Rules and Regulations* and compliance with all applicable laws and special instructions or guidelines issued by the Chancellor, an Executive Vice Chancellor, and/or the Vice Chancellor and General

Counsel. Special instructions or guidelines by the Chancellor, an Executive Vice Chancellor, or the Vice Chancellor and General Counsel may include without limitation instructions concerning reporting requirements; standard clauses or provisions; ratification or prior approval by the Board of Regents or the Chancellor; review and approval by the Office of General Counsel; and recordkeeping.

Sec. 2 Matters Delegated

2.1 Contracts. The following contracts or agreements, including purchase orders and vouchers, do not require approval by the Board of Regents.

2.1.1 Contracts at or Below the Institutional Threshold.

(a) All contracts or agreements, with a total cost or monetary value to the U.T. System or any of the institutions at or below the Institutional Threshold, unless Board approval is otherwise required under these Rules. The total cost or monetary value of the contract includes all potential contract extensions or renewals whether automatic or by operation of additional documentation. For purposes of this Rule, any contract with unspecified cost or monetary value with a term of greater than four years is presumed to have a total value of greater than the Institutional Threshold.

(b) For contracts that have not been approved by the Board, any amendment, extension, or renewal that increases the cost or monetary value of the original contract to more than the Institutional Threshold must be submitted to the Board for approval. For contracts that have been approved by the Board, any amendment, extension, or renewal with a cost or monetary value that exceeds 25% of the cost or monetary value of the Board-approved contract must be submitted to the Board for approval.

(c) Increase in Institutional Threshold. An institution's dollar threshold may be increased to up to $5 million by the Chancellor, after consultation with the General Counsel to the Board of Regents, if it is determined that the institution has the expertise to negotiate, review, and administer such contracts.

2.1.2 Settlement Agreements.

(a) Construction Settlements. All settlement claims and disputes relating to construction projects to the extent funding for the project has been authorized. Authority to execute documents necessary or desirable to settle such claims and disputes is delegated to the System Administration or institution official designated in the construction contract.

(b) Insurance Settlements. The settlement of insurance claims, which are governed by Rule 80601.

(c) Intellectual Property Settlements. All settlement claims and disputes relating to intellectual property owned or controlled by the Board of Regents. Authority to execute documents necessary or desirable to settle such claims and disputes is delegated to the Vice Chancellor and General Counsel.

(d) All other claims. The Vice Chancellor and General Counsel is delegated authority to execute and deliver on behalf of the Board agreements settling any claim, dispute, or litigation of up to $1,000,000. Except as otherwise provided in these Rules, settlements in excess of $1,000,000 must be approved by the Board or by the appropriate standing committee of the Board.

i. Required Consultation. The Vice Chancellor and General Counsel shall consult with the institutional president and the Chancellor regarding all settlements greater than $150,000 that will be paid out of institutional funds. The Vice Chancellor and General Counsel shall consult with the Office of External Affairs, Communications and Advancement Services with respect to settlement of will contests and other matters relating to gifts and bequests administered by that Office.

ii. Determining settlement amount. The amount of the settlement shall mean the amount that might be reasonably expected to be recoverable by the U.T. System but not received pursuant to the settlement or, in the case of a claim against the U.T. System, the total settlement amount to be paid by the U.T. System.

2.1.3 Contracts for Legal Services and Filing of Litigation. The Vice Chancellor and General Counsel is delegated authority to execute and deliver on behalf of the Board contracts for legal services and such other services as may be necessary or desirable in connection with the settlement or litigation of a dispute or claim after obtaining approvals as may be required by law. Any litigation related to these contracts on behalf of the Board, U.T. System Administration, or an institution of U.T. System must have the prior approval of the Vice Chancellor and General Counsel.

2.1.4 Construction Projects. Contracts, agreements, and documents relating to construction projects previously approved by the Board of Regents in the Capital Improvement Program and Capital Budget or Minor Projects.

2.1.5 Intellectual Property. Legal documents, contracts, or grant proposals for sponsored research and licenses or other conveyances of intellectual property owned or controlled by the Board of Regents as outlined in Rule 90101 of these Rules. For purposes of this Rule, sponsored research includes specific research projects as well as more general research initiatives.

2.1.6 Contracts Between or Among U.T. System Administration and Institutions. Contracts or agreements for resources or services to which U.T. System Administration and/or one or more institutions of the U.T. System are the only parties. The Chancellor and the president of an institution have respective authority to execute on behalf of the Board contracts or agreements between or among U.T. System Administration and institutions of the U.T. System. Any such contract or agreement shall provide for the recovery of the cost of services and resources furnished. These contracts are not subject to the requirements of the Interagency Cooperation Act, *Texas Government Code* Chapter 771, as this section serves as the Board-adopted rules contemplated by *Texas Education Code* Section 51.928.

2.1.7 Replacements. Contracts or agreements for the routine replacement of equipment or software or services associated with the implementation of such software.

2.1.8 Routine Supplies. Contracts or agreements for the purchase of routinely purchased supplies or equipment.

2.1.9 Approved Budget Items. Purchases of new equipment or licensing of new software or services associated with the implementation of the software, identified specifically in the institutional budget approved by the Board of Regents.

2.1.10 Group Purchases. All purchases made under any group purchasing program that follows all applicable statutory and regulatory standards for procurement.

2.1.11 Loans. Loans of institutional funds to certified nonprofit health corporations, which loans have been approved as provided in The University of Texas Systemwide Policy UTS 166, *Cash Management and Cash Handling Policy* and The University of Texas Systemwide Policy UTS 167, *Banking Services Policy* concerning deposits and loans.

2.1.12 Certain Employment Agreements. Agreements with administrators employed by the U.T. System Administration or any of the institutions, so long as such agreements fully comply with the requirements of *Texas Education Code* Section 51.948 including the requirement to make a finding that the agreement is in the best interest of the U.T. System or any of the institutions, except those that require approval by the Board of Regents under Rule 20204.

2.1.13 Modified Service for Retirees. Findings that employment of a person who has retired under the Teacher Retirement System of Texas or the Optional Retirement Program is in the best interest of U.T. System in accordance with *Texas Education Code* Section 51.964.

2.1.14 Energy Resources. Contracts or agreements for utility services or energy resources and related services, if any, which contracts or agreements have been approved in advance by the Chancellor.

2.1.15 Library Materials and Subscriptions. Contracts or agreements for the purchase or license of library books and library materials.

2.1.16 Athletic Games. Contracts or agreements related to athletic games, including postseason bowl games. If the contract or agreement

exceeds $1 million in value, the contract or agreement must be approved by the Chancellor and be in a form acceptable to the Vice Chancellor and General Counsel.

2.1.17 Property or Casualty Losses. Contracts or agreements with a cost or monetary value to the U.T. System Administration or any of the institutions in excess of $1 million but not exceeding $10 million associated with or related to a property or casualty loss that is expected to exceed $1 million may be approved, executed, and delivered by the Chancellor. The Chancellor shall consult with the institutional president, if applicable.

2.1.18 Health Operations. Contracts or agreements for the procurement of routine services or the purchase or lease of routine medical equipment, required for the operation or support of a hospital or medical clinic or facility, if the services or equipment were acquired through approved procurement procedures or competitively procured.

2.1.19 Group Employee or Student Benefits. Contracts or agreements for uniform group employee or student benefits, including those offered pursuant to Chapter 1601, *Texas Insurance Code*.

2.1.20 Memorandum of Understanding with University-Affiliated Foundation. The Board of Regents delegates authority to execute a Memorandum of Understanding between U.T. System Administration or a U.T. System institution and an affiliated foundation to the institutional president or the Chancellor (see Rule 60305).

2.1.21 Emergency Circumstances. The Board of Regents delegates authority to the Chancellor to approve contracts, agreements, and purchases and to make needed policy modifications associated with assuring response to and continuation of operations during an emergency,

the existence of which shall be determined in consultation with the Chairman of the Board when possible. The Chancellor shall promptly report use of such authority to the Board.

2.2 Other Matters.

2.2.1 Institutional Agreements for Dual Credit. The Board of Regents delegates the authority to approve and execute dual credit partnership agreements for the academic institutions to the presidents.

2.2.2 Strategic Plan for Research. The Board of Regents delegates to the Chancellor the authority to submit to the Texas Higher Education Coordinating Board the strategic plan for research for each U.T. academic institution designated by the Coordinating Board as a research university or emerging research university.

Sec. 3 Matters Not Delegated. The following contracts or agreements, including purchase orders or vouchers and binding letters of intent or memoranda of understanding, are not delegated by the Board and must be submitted to the Board for approval or authorization, even if the matter fits the description of a matter delegated in Section 2:

3.1 Athletic employment agreements over $1 million. Contracts and contract amendments affecting compensation with athletic directors and coaches with total annual compensation of $1 million or greater.

3.1.1 Contracts, contract revisions, and contract extensions requiring Board approval may be negotiated and executed by the President following consultation with the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Vice Chancellor and General Counsel, and a member or members of the Board designated by the Chairman of the Board of Regents and additional consultation, as requested by the Chairman, to determine if special circumstances require an offer or contract change to be made

prior to a scheduled meeting of the Board and if the proposed offer or contract change is in the best interest of the institution.

3.1.2 Such special circumstance contracts shall be submitted to the Board for formal approval at the next appropriate meeting of the Board as required by Rule 20204.

3.1.3 Alternatively, the President may seek prior approval of the Board to negotiate with a slate of identified individuals within defined contract terms and proceed, if authorized, to hire an athletic director or coach and submit a contract for formal approval by the Board as set out above.

3.1.4 It is the expectation of the Board that each President will assure the Chairman, the Chancellor, and the Executive Vice Chancellor for Academic Affairs are provided advance notice of proposed hirings and potential terms of employment related to such contracts in advance of an offer or publication or public distribution of information to allow for meaningful consultations and/or approvals.

3.2 Athletic Conference Memberships. Contracts related to joining or changing an institution's athletic conference membership may be negotiated and executed by the President following consultation as described above, for the determination of special circumstances. Following such consultation, such special circumstance contracts shall be submitted to the Board for formal approval at the next appropriate meeting of the Board.

3.3 Contracts with Foreign Governments. Contracts or agreements of any kind or nature, regardless of dollar amount, with a foreign government or agencies thereof, except:

3.3.1 The following agreements if prepared on an approved standard form or satisfying the requirements set by the Office of General Counsel: affiliation agreements, cooperative

program agreements, material transfer agreements, sponsored research agreements, and licenses or other conveyances of intellectual property owned or controlled by the Board of Regents;

3.3.2 The following agreements if approved by the Office of General Counsel: agreements or contracts necessary to protect the exchange of confidential information or nonbinding letters of intent or memorandums of understanding executed in advance of definitive agreements; and

3.3.3 Agreements regarding cultural performances or the exchange of artistic materials where no funds are expended by the U.T. System or any of the U.T. institutions.

3.4 Contracts Involving Certain Uses of Institution Names, Trademarks, or Logos. Any agreement, regardless of dollar amount, that grants the right to a non-U.T. entity to use the institutional name or related trademarks or logos in association with the provision of a material medical-related service or in association with physical improvements located on property not owned or leased by the contracting U.T. institution.

3.5 Contracts with Certain Officers. Agreements, regardless of dollar amount, with the Chancellor, a president, a former Chancellor or president, an Executive Vice Chancellor, a Vice Chancellor, the General Counsel to the Board, the Chief Audit Executive, or the Chief Compliance and Risk Officer, which are subject to the applicable provisions of *Texas Education Code* Section 51.948 and Rule 20101.

3. Definitions

Group Purchasing Program – for purposes of this Rule, a purchasing program established by (1) a state agency that is authorized by law to procure goods and services for other state agencies, such as the Texas Comptroller of Public Accounts and the Texas Department of Information Resources, or any successor agencies, respectively; or (2) a group purchasing organization in which the institution participates, such as

Vizient, E&I Cooperative Services, and BuyBoard; or (3) the U.T. System Supply Chain Alliance. A group purchasing program is covered by this rule only if it is conducted by a state agency or group purchasing organization that is accredited by U.T. System as meeting minimum procurement standards established by the State of Texas and U.T. System.

Institutional Threshold – the review threshold identified for System Administration and each U.T. institution in the Board Contract Approval Threshold Table.

4. Relevant Federal and State Statutes

The Higher Education Act of 1965 (20 U.S.C §1011f) – Disclosures of Foreign Gifts

Texas Education Code Section 51.928(b) – Written Contracts or Agreements Between Certain Institutions

Texas Education Code Section 51.948 – Restrictions on Contracts with Administrators

Texas Education Code Section 51.964 – Hiring of Certain Retirees

Texas Education Code Section 65.31(g) – Delegation by the Board

Texas Government Code Section 618.001 – Uniform Facsimile Signature of Public Officials Act

Texas Government Code Sections 669.001 - 669.004 – Restrictions on Certain Actions Involving Executive Head of State Agency

Texas Government Code Section 2203.005 – Vending Machines Authorized

Texas Insurance Code, Chapter 1601 – Uniform Insurance Benefits Act for Employees of The University of Texas System and The Texas A&M University System

5. Relevant System Policies, Procedures, and Forms

Regents' *Rules and Regulations,* Rule 20204 – Determining and Documenting the Reasonableness of Compensation

The University of Texas Systemwide Policy UTS 130, *Vending Machine Contracts*

The University of Texas Systemwide Policy UTS 145, *Processing of Contracts*

The University of Texas Systemwide Policy UTS 166, *Cash Management and Cash Handling Policy*

The University of Texas Systemwide Policy UTS 167, *Banking Services Policy*

Regents' *Rules and Regulations,* Rule 60101 – Acceptance and Administration of Gifts

Regents' *Rules and Regulations,* Rule 60103 – Guidelines for Acceptance of Gifts of Real Property

Regents' *Rules and Regulations,* Rule 70101 – Authority to Accept and Manage Assets

Regents' *Rules and Regulations,* Rule 70201 – Investment Policies

Regents' *Rules and Regulations,* Rule 70401 – Oversight Responsibilities for UTIMCO

Regents' *Rules and Regulations,* Rule 80601 – Property and Casualty Insurance and Surety Bonds

Litigation Approval Request Form

Special Procedure Contracts

Board Contract Approval Threshold Table

6. System Administration Office(s) Responsible for Rule

Office of the Board of Regents

7. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 31002**

1. Title

Nontenured, Tenure-Track, and Term-Tenure Faculty Members: Appointment, Reappointment, and Nonrenewal

2. Rule and Regulation

Sec. 1 Applicability of Rules and Policies.

Nontenure-track, tenure-track and term-tenure faculty members are appointed for a specified term. This Rule addresses the notice requirements institutions must follow to appoint, reappoint, or nonrenew the appointment of nontenure-track, tenure-track and term-tenure faculty members. Nontenure-track and tenure-track faculty may be collectively referred to as "nontenured."

When a faculty member's employment may be terminated due to an institution's decision to eliminate occupied academic positions or abandon academic programs, the procedures in Rule 31003 apply.

Termination for good cause and summary dismissal of a faculty member are addressed in Regents' Rule 31008 and the corresponding UTS 198.

Sec. 2 Appointment Letter Upon Hire.

When an institution hires a nontenured or term-tenure faculty member, it shall provide an appointment letter, generally referred to as a Memorandum of Appointment, and include the term of appointment in accordance with Section 3 of this Rule. Nontenured and term-tenure faculty members shall have no expectation of continued employment beyond the period of their current appointment as stated in the Memorandum of Appointment.

Sec. 3 Term of Faculty Appointments.

3.1 Nontenure-Track Faculty Appointments.

(a) Appointment Term for Specified Time Period.

Except as specified below faculty appointed to nontenure-track titles may be appointed or

reappointed to their positions with or without pay for a period of time not to exceed three academic years.

(1) Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. Such appointments are limited to two years and are not renewable.

(2) Adjunct Professor, Adjunct Associate Professor, Adjunct Assistant Professor, and Adjunct Instructor. Appointments to the faculty with an adjunct title shall be for a stated period of time not to exceed one academic year.

(3) Adjoint Professor, Adjoint Associate Professor, and Adjoint Assistant Professor. Appointments will usually be part-time. The term of the appointment shall be specified in the agreement with the partner organization or partner U.T. System institution.

(4) Appointment to Modified Service. Appointments to modified service after retirement from the Teacher Retirement System of Texas or the Optional Retirement Program shall be without tenure and may not exceed one academic year.

(b) Appointment Term Contingent Upon External Funding.

Appointments to nontenure-track titles may be made contingent upon securing and sustaining external funding such that the appointment term expires upon the termination or loss of that external funding.

(c) Appointment Term Contingent Upon Maintaining Required Credentials, Privileges, or Licenses.

Appointments to nontenure-track faculty positions in which the primary duties involve providing clinical healthcare services may be made contingent upon the faculty member maintaining all credentials, privileges, and licenses required to perform those duties, such that the appointment term expires automatically upon the probation, suspension,

termination, or loss of any such required credential, privilege, or license.

3.2 Tenure-Track Faculty Appointments.

Tenure-track faculty may be appointed or reappointed to their positions for a term in accordance with the institution's policies and procedures.

3.3 Term-Tenure Faculty Appointments.

The University of Texas M. D. Anderson Cancer Center and the Health Science Center at The University of Texas at Tyler are authorized to award a seven-year term appointment that will denote a status of continuing appointment at that institution as a member of the faculty for a period of seven years, as outlined in Regents' Rule 31007.

Sec. 4 Reappointment or Nonrenewal of Appointment.

4.1 Written Notice Required.

Prior to the expiration of a nontenured or term-tenure faculty member's term of appointment and in accordance with the timing requirements in Subsection 4.2 of this Rule, the institution shall notify the faculty member in writing of its decision (1) to continue the faculty member's employment through reappointment or (2) to discontinue employment through a nonrenewal. The notice of reappointment may be communicated in a Memorandum of Appointment. The notice required by this subsection is not applicable when an institution dismisses a nontenured or term-tenure faculty member during the faculty member's term of appointment under Rule 31003 or Rule 31008.

A commitment to employ a nontenured or term-tenure faculty member beyond the period of current employment shall have no force and effect until approved in writing by an institution president through a Memorandum of Appointment.

4.2 Notice Timing Requirements.

No nontenured or term-tenure faculty member shall be deemed to have been reappointed or awarded a seven-year term-tenure appointment because notice is not given or received by the timelines prescribed in this Rule.

If the institution does not offer the faculty member a written letter of appointment before the 61st day after the first day of the institution's academic year and the institution retains the faculty member for that academic year, the institution must retain the faculty member for that academic year under terms and conditions, including terms governing the faculty member's compensation, that are at least as favorable to the faculty member's employment for the preceding academic year, unless the institution and the faculty member subsequently enter into a different agreement.

If an institution does not deliver reappointment notice pursuant to the notice timelines in this Rule, it is the duty of the faculty member concerned to make inquiry to determine the decision of the president of an institution, who shall without delay give the required notice to the faculty member.

(a) Nontenure-Track Faculty.

Nontenure-track faculty at general academic institutions who are primarily engaged in instruction shall receive written notice of reappointment or nonrenewal not later than June 1 of the current academic year.

All other nontenure-track faculty members shall receive written notice of reappointment or nonrenewal not later than 60 days prior to the expiration of the term in their current Memorandum of Appointment.

(b) Tenure-Track Faculty.

When an institution decides to reappoint or nonrenew a tenure-track faculty member, the institution shall present the faculty member with written notice of the decision in accordance with the institution's policies

and procedures and the timelines in the table below.

Timing of Reappointment or Nonrenewal Decision	Written Notice Deadline	If Nonrenewal, Timing of Appointment End
First academic year of probationary service	March 1 of first academic year	End of first academic year
Second academic year of probationary service	December 15 of the second academic year	End of second academic year
Third or later academic year of probationary service	30 days prior to the end of the current academic year	End of subsequent academic year

Faculty members notified of nonrenewal in the third or later year of probationary service must be provided with a Memorandum of Appointment covering the subsequent academic year, the faculty member's terminal year.

(c) Faculty on Seven-Year Term Appointment.

Subject to the approval of the Board of Regents, if The University of Texas M. D. Anderson Cancer Center or The Health Science Center at The University of Texas at Tyler decides to reappoint a term-tenure faculty member to another seven-year term, the applicable institution's president must provide written notice of the reappointment decision in accordance with the institution's policies and procedures and the timeline in the table below.

If an institution decides not to reappoint a term-tenure faculty member, the institution shall present the faculty member with written notice of the decision in accordance with the institution's policies and procedures and the timeline in the table below.

Timing of Reappointment or Nonrenewal Decision	Written Notice Requirement	If Nonrenewal, Timing of Appointment End
Prior to seventh academic year	30 days prior to the end of the sixth academic year	End of seventh academic year

Faculty members notified of nonrenewal of a term-tenure appointment must be provided with a Memorandum of Appointment covering the subsequent academic year, their terminal year.

4.3 Nonrenewal: Notification of Reasons Not Required.

When an institution decides not to renew a nontenured or term-tenure faculty member, the institution is not required to provide a statement of the reasons for the nonrenewal decision. A decision not to reappoint, however, shall not be based on reasons that are unlawful.

Sec. 5 Grievance of Nonrenewal of Appointment for Tenure-Track, Term-Tenure, and Full-Time Nontenure-Track Faculty Members.

Tenure-track, term-tenure, and full-time nontenure-track faculty members may present a grievance in person or virtually on an issue related to the nonrenewal of the faculty member's appointment in accordance with the institution's faculty grievance procedures.

3. Definitions

"Faculty Member" means a person employed part-time or full-time by an institution as a member of the institution's faculty whose duties include teaching, research, administration, or the performance of professional services, including clinical services. The term does not include a person who holds faculty rank but who spends the majority of the person's time for the institution engaged in managerial or supervisory activities, including a chancellor, vice chancellor, president, vice president, provost, associate or assistant provost, dean, or associate or assistant dean.

4. Relevant Federal and State Statutes

Texas Education Code Section 51.943 – Renewal of Faculty Employment Contracts

Texas Education Code Section 51.960 – Grievance Rights on Certain Personnel Issues

5. Relevant System Policies, Procedures, and Forms

Regents' *Rules and Regulations*, Rule 31001 – Faculty Appointments and Titles

Regents' *Rules and Regulations*, Rule 31003 – Abandonment of Academic Positions or Programs

Regents' *Rules and Regulations*, Rule 31007 – Tenure

Regents' *Rules and Regulations*, Rule 31008 – Termination for Good Cause of a Faculty Member

6. System Administration Office(s) Responsible for Rule

Office of Academic Affairs
Office of Health Affairs
Office of General Counsel

7. Dates Approved or Amended

Regents' Rules Revision History

The University of Texas System
Rules and Regulations of the Board of Regents **Rule: 31008**

1. Title

Termination or Summary Dismissal of a Faculty Member

2. Rule and Regulation

Sec. 1 Applicability of Rules and Policies.

This Rule addresses the procedures for the involuntary termination for good cause (Termination, Section 2) or summary dismissal (Summary Dismissal, Section 3) of:

A. a tenured faculty member;

B. a term-tenure faculty member during the term of appointment as stated in the faculty member's Memorandum of Appointment; or

C. a non-tenured faculty member during the term of appointment as stated in the faculty member's Memorandum of Appointment.

The University of Texas Systemwide Policy UTS 198, *Termination of a Faculty Member*, defines "good cause," that supports termination, provides grounds for summary dismissal, and includes detailed procedures implementing this Rule. Substantive changes to UTS 198 require approval by the Chancellor, Executive Vice Chancellor for Academic Affairs, Executive Vice Chancellor for Health Affairs, and Vice Chancellor and General Counsel.

1.1 Exceptions. This Rule does not apply to faculty terminations in the following circumstances:

a. Sexual Misconduct Policy Violation: When an institution determines that termination is the appropriate sanction upon a finding that a faculty member violated the institution's sexual misconduct policy after a hearing held in accordance with that policy.

b. Nonrenewal of Nontenured Appointment: When an institution decides not to renew a faculty member's appointment pursuant to Regents' Rule 31002.

c. Position Elimination: When an institution is determining whether to eliminate occupied academic positions or

abandon academic programs that may result in a faculty member's termination pursuant to Regents' Rule 31003.

Sec. 2 Termination Process. Termination shall only be for good cause shown as specified in UTS 198.

Termination may occur at any time after providing the faculty member with appropriate due process in conformance with federal and state law, this Rule, UTS 198, and applicable institution policy, if any.

During the pendency of the Termination process, a faculty member may be placed on leave of absence with or without pay at the discretion of the president or designated administrator (also referred to as "designee"). A faculty member placed on leave without pay must be given notice and an opportunity to respond before the unpaid leave becomes effective. If the faculty member is placed on leave with or without pay, the faculty member is entitled to grieve the decision, regarding leave and/or paid status, pursuant to the institution's faculty grievance procedure set forth in the institution's policies and separate from this Rule.

2.1 Review of Termination Allegations and Faculty Member Opportunity to Respond.

All allegations against a faculty member that involve the potential for Termination must be reviewed under the direction of the president or designee.

If the president or designee determines that the supporting evidence justifies proceeding with termination, the president or designee shall provide written notice to the faculty member, specifying the allegations for termination and supporting evidence, and give the faculty member a reasonable amount of time, as determined by the president or designee, to respond either orally or in writing. This response includes the faculty member's right under *Texas Education Code* Section 51.960(b) to present a grievance on an issue related to the termination of the faculty member's employment at the institution.

If the allegations and faculty member's response have been reviewed by a designee only, the designee must determine whether the evidence and response support proceeding with charges for termination. If the designee determines termination is warranted, the designee shall issue a written

recommendation to the president and provide a copy to the faculty member.

At any point, if the president or designee decides that termination is not warranted, the president or designee may end the termination proceedings and may impose lesser or no discipline in accordance with institutional policies.

2.2 Faculty Hearing Panel Review.

If, after reviewing the faculty member's response, if any, or designee's recommendation, as applicable, the president determines that the evidence supports termination, the president shall provide written notice to the faculty member informing the faculty member of the charges supporting termination and convene a faculty hearing panel (Hearing Panel) to hear the charges against the faculty member. The hearing shall be conducted in accordance with UTS 198 and applicable institution policy, if any. The Hearing Panel, by a majority of its total membership, shall make written findings on the material facts and shall make a recommendation as to the continuance or termination of the faculty member's appointment.

2.3 President's Recommendation and Board of Regents' Review.

If the matter proceeds to a hearing, the president shall review the Hearing Panel's findings and recommendation and proceed as follows:

a. Board of Regents Review for Tenured and Term-Tenure Faculty During Appointment. The president may recommend termination to the Board of Regents if the president determines that the greater weight of the credible evidence presented to the Hearing Panel establishes good cause for termination. If so, the president shall deliver to the Board of Regents for its review: the Hearing Panel's findings and recommendation; the original stenographic transcript or electronic recording of the testimony; the hearing exhibits; and the president's recommendation.

   The president shall also deliver a copy of the president's recommendation to the tenured or term-tenure faculty member. The faculty member may submit a written

response, based solely on the record evidence, to the Board of Regents. The Board of Regents, by a majority of the total membership, shall approve, reject, or amend the president's recommendation, or shall recommit the president's and Hearing Panel's submissions to the same Hearing Panel for hearing additional evidence and reconsideration. The Board of Regents' reasons for approval, rejection, or amendment of the president's recommendation shall be stated in writing and communicated to the tenured or term-tenure faculty member.

b. President Review Final for Non-tenured Faculty During Term of Appointment. The president shall adopt, reject, or amend the Hearing Panel's findings and recommendation, and the president may terminate the non-tenured faculty member or impose a lesser sanction. The president shall provide the decision and reasons in writing to the faculty member. The president's decision is final and not appealable to the Board of Regents or grievable under the institution's grievance policy.

Sec. 3 Summary Dismissal Process.

A faculty member may be terminated by Summary Dismissal at any time upon a finding that the faculty member committed "serious misconduct," as defined by UTS 198. The institution must provide the faculty member appropriate due process in conformance with federal and state law, this Rule, UTS 198, and applicable institution policy, if any.

3.1 Notice to Faculty Member and Hearing with Designated Administrator. The institution must provide the faculty member with written notice of the allegations against the faculty member together with an explanation of the evidence supporting dismissal and an opportunity for the faculty member to respond to the allegations in a hearing with a designated administrator. This response includes the faculty member's right under *Texas Education Code* Section 51.960(b) to present a grievance on an issue related to the termination of the faculty member's employment at the institution.

3.2 Designated Administrator Written Determination. The designated administrator must:

a. consider the faculty member's response;

b. make a written determination that clearly states whether the institution will proceed with summary dismissal; and

c. promptly provide the faculty member a copy of the written determination.

If the designated administrator's written determination is summary dismissal, the determination must include the effective date of the dismissal and information regarding the faculty member's opportunity for a post-dismissal appeal.

3.3 Appeal of Summary Dismissal. Following the designated administrator's written determination to summarily dismiss a faculty member, the former faculty member must be provided with the opportunity for a post dismissal appeal.

Sec. 4 Special Circumstances. The Board authorizes the Chancellor, in consultation with the appropriate Executive Vice Chancellor and the Vice Chancellor and General Counsel, to appoint officers, staff, and/or others, other than those specifically designated in this Rule and UTS 198, to fulfill the administrative roles specified in Sections 2 and 3 of this Rule when the Chancellor deems such appointments necessary due to special circumstances identified by U.T. System or the institution (e.g., a conflict of interest).

3. Definitions

Faculty Member – a faculty member is any individual holding an academic title listed in Regents' *Rules and Regulations*, Rule 31001, Section 2, with the exception of Assistant Instructors, Teaching Associates, and Teaching Assistants.

4. Relevant Federal and State Statutes

Texas Education Code Section 51.942 – Faculty Tenure

Texas Education Code Section 51.960 – Grievance Rights on Certain Personnel Issues

Texas Education Code Section 65.32 – Removal of Officers, Etc.

5. Relevant System Policies, Procedures, and Forms

Regents' *Rules and Regulations*, Rule 31001 – Faculty Appointments and Titles

The University of Texas Systemwide Policy UTS 198, *Termination of a Faculty Member*

6. System Administration Office(s) Responsible for Rule

Office of Academic Affairs
Office of Health Affairs
Office of General Counsel

7. Dates Approved or Amended

Regents' Rules Revision History

4. U.T. System Board of Regents: Recognition of recipients of the 2026 Regents' Outstanding Teaching Awards

PRESENTATION

The Board and Chancellor Zerwas will recognize the 2026 recipients for the Regents' Outstanding Teaching Awards, as listed below:

U.T. Arlington:

Jeremy Glass, M.S.
Assistant Chair & Distinguished Senior Lecturer, Mathematics

U.T. Austin:

David Kornhaber, Ph.D.
Associate Professor, English

U.T. Dallas:

Christina Thompson, Ph.D.
Professor of Instruction, Chemistry

U.T. Permian Basin:

Perla Abrego, Ph.D.
Associate Professor, Spanish

U.T. San Antonio:

Anibal Diogenes, D.D.S., Ph.D.
Associate Dean, Chair, & Professor, Endodontics

Monica Lawson, Ph.D.
Associate Professor, Psychology

Rita Mitra, D.M.A., M.S.C.S.
Professor of Practice, Information Systems & Cybersecurity

U.T. Southwestern:

Kathlene Trello-Rishel, M.D.
Professor, Psychiatry

Stephen F. Austin:

Brittney Falahola, Ph.D.
Associate Professor, Mathematics & Statistics

Emmerentie Oliphant, D. Litt. et Phil.
Professor, Social Work

U.T. Tyler:

Sooah Park, D.M.A.
Associate Professor, Music

Jennifer Reynolds, M.S.
Assistant Professor of Practice, Accounting, Finance, & Business Law

BACKGROUND INFORMATION

The Board of Regents places the highest priority on undergraduate and graduate teaching at U.T. institutions and encourages teaching excellence by recognizing those faculty who deliver the highest quality of instruction, demonstrate their commitment to teaching, and have a history and promising future of sustained excellence with teaching in the classroom, in the laboratory, in the field, or online.

On August 14, 2008, the Board established the Regents' Outstanding Teaching Awards (ROTA), which are a recognition of the importance the Board places on the provision of teaching and learning of the highest order, by honoring those who serve students in an exemplary manner, and are an incentive for others who aspire to such service. These teaching awards complement existing ways in which faculty excellence is recognized and incentivized.

Up to 15 awards may be given across both academic and health institutions with the number of awards determined by the number of applications, recommendations from the review committee, and other factors.