

OFFICE OF THE BOARD OF REGENTS  
THE UNIVERSITY OF TEXAS SYSTEM  
BOX N - AUSTIN, TEXAS 78713-8914 (512) 499-4402

MEMORANDUM

June 14, 1996

TO: Those Who Receive RRR Amendments (List Attached) 11/17/96  
FROM: Art Dilly *AD*  
SUBJECT: Regents' Rules and Regulations, Part One - Amendments

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page iii	Page iii
Pages III-5, III-6, and III-33	Pages III-5, III-6, III-6a, and III-33
Pages VI-14 through VI-30	Pages VI-14 through VI-35

The amendments approved at the May 9, 1996 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AD/cf

Enclosures

March 28, 1996

Addresses of State Officials Who Receive Copies  
of the Regents' Rules and Regulations

Governor's Budget and Planning Office  
711 Sam Houston Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Mr. John Keel  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
Two Commodore Plaza  
206 East 9th Street  
Suite 1900  
Austin, Texas 78701  
INTERAGENCY MAIL

Ms. Sally Reynolds  
Director  
Legislative Reference Library  
Room 207-B, Capitol Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

Dr. Kenneth H. Ashworth  
Commissioner, Texas Higher  
Education Coordinating Board  
7745 Chevy Chase Drive, Building 5  
Austin, Texas 78752  
INTERAGENCY MAIL

(NOTE: Send only when there are  
amendments related to (1) academic  
work load or (2) faculty development  
leaves.)

\*\*\*\*\*

Mr. Thomas G. Ricks  
President and Chief Executive Officer  
The University of Texas Investment Management Co.  
CTJ Hall

Mr. W. C. Lancaster  
Chief of Staff  
Office of the Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117

Distribution List for Official Copies of  
Regents' Rules and Regulations

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State Auditor - U. T. Austin Representative	1
Legislative Reference Library	1
System Administration	8
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Business Affairs	
Executive Assistant to the Chancellor	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Vice Chancellor for Development and External Relations	
Chief Administrative Officers of Component Institutions	15
Mr. Thomas G. Ricks	1
President and Chief Executive Officer UTIMCO	
Chief of Staff, Office of the Chancellor, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	42

**NOTE:** See July 6, 1988 letter from Coordinating Board which requests that only those amendments related to (1) academic work load and (2) faculty development leaves be sent to that office.



Office of the Board of Regents  
THE UNIVERSITY OF TEXAS SYSTEM

MEMORANDUM

REFERRED TO Mr. Cliff Lancaster

- |  |   |
|--|---|
| <input type="checkbox"/> PER OUR CONVERSATION            | <input type="checkbox"/> PLEASE RETURN            |
| <input checked="" type="checkbox"/> FOR YOUR INFORMATION | <input type="checkbox"/> PER YOUR REQUEST         |
| <input type="checkbox"/> FOR YOUR APPROVAL               | <input type="checkbox"/> FOR HANDLING             |
| <input type="checkbox"/> FOR YOUR SIGNATURE              | <input type="checkbox"/> FOR DISTRIBUTION         |
| <input type="checkbox"/> FOR YOUR COMMENTS               | <input type="checkbox"/> NO NEED TO RETURN        |
| <input type="checkbox"/> FOR DISCUSSION                  | <input checked="" type="checkbox"/> FOR YOUR FILE |

REMARKS:

Since our Regents' Rules and Regulations are now available on the World Wide Web, I'd like to discontinue sending these amendments to you effective with our August meeting.

Please call me.

SIGNATURE Margaret Glover *mg* DATE 6/17

May 9, 1996

RULES AND REGULATIONS  
OF THE  
BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM  
FOR THE GOVERNMENT OF  
THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through May 9, 1996,  
have been issued with this cover sheet.)

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- (i) In the general academic institutions with health-related clinical programs, persons appointed to full-time positions for the primary purpose of patient care and other service activities shall be given one of the following titles, even though the individuals may be assigned teaching or research responsibilities:

(1) Professor of Clinical

(title of specialty)

(2) Associate Professor of Clinical

(title of specialty)

(3) Assistant Professor of Clinical

(title of specialty)

(4) Instructor in Clinical

(title of specialty)

For persons appointed to positions pursuant to this Item, all appointment letters, personnel forms, budgets and other official documents shall state in parenthesis following the name and title of the individual either "(nontenure-track clinical appointment)" or "(nontenure-track appointment)," as appropriate, and service in such positions shall not be credited as faculty service toward calculation of any maximum probationary period.

- (j) In the health components, persons appointed to full-time positions for the primary purpose of either research activities or patient care and other service activities shall be

given one of the following titles, even though the individuals may be assigned teaching responsibilities:

- (1) Professor of \_\_\_\_\_  
(title of specialty)
- (2) Associate Professor of \_\_\_\_\_  
(title of specialty)
- (3) Assistant Professor of \_\_\_\_\_  
(title of specialty)
- (4) Instructor in \_\_\_\_\_  
(title of specialty)

For persons appointed to positions pursuant to this Item, all appointment letters, personnel forms, budgets and other official documents shall state in parenthesis following the name and title of the individual either "(nontenure-track clinical appointment)" or "(nontenure-track research appointment)," as appropriate, and service in such positions shall not be credited as faculty service toward calculation of any maximum probationary period.

1.84 Prefixes to academic and staff positions in which tenure cannot be acquired:

- (a) Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. These titles are used only for temporary appointments of persons either visiting from other institutions where they hold similar ranks or who are brought to the University on a trial basis. Such appointments are limited to two years unless an exception is approved in writing by the appropriate Executive Vice Chancellor.

- (b) Adjunct Professor, Adjunct Associate Professor, and Adjunct Assistant Professor. One of these titles may be used when a qualified person from business, industry, government, private practice, or another institution of higher education may be teaching a course or participating in the teaching of a course at one of the component institutions. Except in special circumstances, this prefix should be used to designate part-time service on the faculty. In the health components, this prefix should be used only for those persons not involved in patient care who otherwise satisfy the above criteria. Appointments to the faculty with an adjunct title may be with or without pay and shall be for a stated period of time not to exceed one academic year. Such appointments shall terminate upon expiration of the stated period of appointment without the notification of nonrenewal required by Section 6.7 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to an adjunct faculty member.

- 13.6 No member of the faculty or staff shall accept employment or any position of responsibility if the discharge of such employment or responsibility will be antagonistic to the interests of the State of Texas or the System or any of its component institutions.
- 13.7 Every member of the faculty or staff who gives professional opinions must protect the System and its component institutions against the use of such opinions for advertising purposes. If the employee does work in a private capacity, the employee must make it clear to those who employ him or her that the work is unofficial and that the name of the System and its component institutions is not in any way to be connected with the employee's name, except when used to identify the employee as the author of work related to the employee's academic or research area as more fully described in Part Two, Chapter XII, Section 2, Subsection 2.3.
- 13.8 No member of the faculty or staff shall accept pay from private persons or corporations for tests, assays, chemical analyses, bacteriological examinations, or other such work of a routine character, which involve the use of property owned by the System or its component institutions, unless advance permission has been obtained from the chief administrative officer and provision has been made for compensation to the System or its component institutions.
- 13.9 No member of the full-time staff of the System on a twelve-month or nine-month basis shall be employed in any outside work or activity or receive from an outside source a regular retainer fee or salary until a description of the nature and extent of the employment has been filed with and approved by appropriate administrative officials as set forth in the institutional Handbook of Operating Procedures of each component institution. For special provisions relating to other state or federal employment, see Subsections 13.(10), 13.(11), and 13.(12) of this Section.
- 13.(10) Subject to the other provisions of this Section, a member of the faculty or staff may hold other non-elective offices or positions of honor, trust, or profit with the State of Texas or the United States

with the chief student affairs officer. Committees and administrative units of a students' association shall make such interim reports of financial condition as may be required by the chief student affairs officer.

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

Sec. 6. Use of University Facilities. This Section applies only to property, buildings, and facilities owned or controlled by the U. T. System or component institutions that are maintained and used for programs and activities related to the role and mission of the U. T. System or component institutions.

- 6.1 The property, buildings, or facilities owned or controlled by the U. T. System or component institutions are not open for assembly, speech, or other activities as are the public streets, sidewalks, and parks. The responsibility of the Board of Regents to operate and maintain an effective and efficient system of institutions of higher education requires that the time, place, and manner of assembly, speech, and other activities on the grounds and in the buildings and facilities of the U. T. System or component institutions be regulated. Acting pursuant to the general authority of Chapter 65 of the Texas Education Code and the specific authority of Chapter 51 of the Texas Education Code, the Board of Regents adopts and promulgates this Section relating to the use of buildings, grounds and facilities for purposes other than programs and activities related to the role and mission of the U. T. System or component institution.
- 6.2 No person, organization, group, association, or corporation may use property, buildings, or facilities owned or controlled by the U. T. System or a component institution for any purpose other than in the course of the regular programs or activities related to the role and mission of the U. T. System or component institution, unless authorized by the Regents' Rules and Regulations. Any authorized use must be conducted in compliance with the provisions of the Regents' Rules and Regulations, the approved rules and regulations of the component institution, and applicable federal, state, and local laws and regulations.
- 6.3 Identification Required.--Pursuant to the authority conferred upon the Board of Regents by Section 51.209, Texas Education Code, in order to protect the safety and welfare of students, employees, patients, and other participants in the programs and activities of the U. T. System and component institutions and to protect the property, buildings, and facilities of the U. T. System and component institutions, it shall be unlawful for any person who is on any property or in a building or facility owned or controlled by the U. T. System or a component institution to refuse to identify himself or herself in response to a request by an institutional representative. For the purpose of

this Subsection, a person identifies himself or herself by: (1) giving his or her name and complete address substantiated by a current driver's license, voter registration card, or other official documentation; and (2) stating truthfully whether he or she is a student or employee of the U. T. System or a component institution.

- 6.31 For the purpose of this Subsection, an "institutional representative" is:
- (a) any member of the Board of Regents of the U. T. System or the Executive Secretary to the Board;
  - (b) any executive officer or administrative officer of the U. T. System;
  - (c) any administrative officer of a component institution;
  - (d) any attorney of the U. T. System or a component institution; and
  - (e) any peace officer or security officer of the U. T. System or component institution acting pursuant to authority of Texas law.
- 6.32 Any person who refuses to identify himself or herself in accordance with this Subsection may be convicted of a misdemeanor punishable by a fine of not more than \$200.
- 6.33 Students, faculty, or staff who refuse to identify themselves in accordance with this Subsection are also subject to disciplinary action.

- 6.4 Protection of Artificial Bodies of Water, and Other Property.--Pursuant to the authority conferred upon the Board of Regents by Sections 51.202 and 51.204, Texas Education Code, in order to protect the safety and welfare of students, faculty, and staff and to protect the property, buildings, and facilities of the U. T. System and component institutions, it shall be unlawful for any person to enter, walk, run, lie, play, remain, or be in the water of any fountain or other artificial body of water, which is not designed and maintained for recreational or therapeutic purposes, located on property owned or controlled by the U. T. System or a component institution unless such person has the prior written permission of the chief administrative officer of the U. T. System or the component institution to enter, remain, or be in such water.

- 6.41 It shall further be unlawful for any person to dump, throw, place, or cause any material, object, person, animal, trash, waste, or debris to be placed in such fountain or other artificial body of water.
- 6.42 It shall also be unlawful for any person to damage, deface, or remove any portion of any fountain, monument, building, statue, structure, facility, tree, shrub, or memorial located on property owned or controlled by the U. T. System or a component institution.
- 6.43 Any person who violates any provision of this Subsection may be convicted of a misdemeanor punishable by a fine of not more than \$200.
- 6.44 Students, faculty, or staff who violate any portion of this Subsection are also subject to disciplinary action.
- 6.5 Alcoholic Beverages.--The use of alcoholic beverages is prohibited on property and in buildings and facilities owned or controlled by the U. T. System or a component institution. However, the chief administrative officer of the U. T. System or a component institution may waive this prohibition with respect to any event sponsored by the U. T. System or the component institution. An event is sponsored if a budgeted office, department, or division of the U. T. System or the component institution is responsible for organizing the event, inviting attendees, and paying expenses related to the event, including the purchase of food and beverages. Meetings or events organized and presented by registered faculty, staff, or student organizations are not events sponsored by the U. T. System or the component institution. This Subsection does not apply to areas that are licensed under state law for the sale and service of alcoholic beverages, to a Special Use Facility during use by a noninstitutional individual, group, association, or corporation for purposes permitted by Subsection 6.(10), or to property, buildings, or facilities that are occupied by a third party pursuant to a written lease or occupancy agreement that does not specifically exclude alcoholic beverages. State law relating to alcoholic beverages will be strictly enforced at all times on property and in buildings and facilities owned or controlled by the U. T. System or a component institution.

6.6 Solicitation.--The term "solicitation" means the sale, lease, rental or offer for sale, lease, rental of any property, product, merchandise, publication, or service, whether for immediate or future delivery; an oral statement or the distribution or display of printed material, merchandise, or products that is designed to encourage the purchase, use, or rental of any property, product, merchandise, publication, or service; the oral or written appeal or request to support or join an organization other than a registered student, faculty, or staff organization; the receipt of or request for any gift or contribution; or the request to support or oppose or to vote for or against a candidate, issue, or proposition appearing on the ballot at any election held pursuant to state or federal law or local ordinances.

6.61 No solicitation shall be conducted on property or in any building, structure, or facility owned or controlled by any component institution or the U. T. System unless permitted by the Regents' Rules and Regulations. The following activities shall not be deemed solicitations prohibited by this Subsection when conducted in accordance with the approved rules and regulations of the U. T. System or the component institution. Such activities must be conducted in a manner that does not disturb or interfere with the academic programs or administrative activities of the U. T. System or the component institution or any program or activity that is conducted by or is authorized by the U. T. System or component institution; does not interfere with entry to or exit from a building, structure, or facility; does not interfere with the flow of pedestrians or vehicular traffic on sidewalks or streets; and does not violate applicable state, federal, or local law or regulation:

- (a) The distribution, sale, or offer for sale of a newspaper, magazine, or other publication by means of an unattended rack or vending machine in area(s) designated in advance by the chief administrative officer of the U. T. System or a component institution or his or her delegate for the conduct of such activity.

- (b) The sale or offer for sale of food, drink, or any other product that may be lawfully sold by means of a vending machine that is operated by the U. T. System or component institution or a subcontractor of either, under an approved written agreement, in an area designated in advance by the chief administrative officer of the U. T. System or the component institution or his or her delegate.
- (c) The sale or offer for sale by the U. T. System or component institution or a subcontractor of either, under an approved written agreement, of any publication of the U. T. System or the component institution or of any book or other printed material to be used in the regular academic work of the component institution.
- (d) Any service or service facility for the convenience of the students, staff, faculty, patients, or bona fide visitors that is operated or maintained by the U. T. System or component institution or by a subcontractor or lessee of either, under an approved written agreement, including, but not limited to: (1) any bookstore, specialty store, laundry, pharmacy, cafeteria, or food service; (2) a child care facility limited to children or bona fide dependents of students, faculty, or staff; (3) a state or federal credit union with membership limited primarily to students, faculty, and staff of the component institution and other area institutions of higher education or other component institutions and the U. T. System, and the officers and employees of organizations closely related to the component institution's educational mission, such as officially recognized alumni associations and cooperative bookstores; (4) private post office boxes under an approved written agreement that limits the use to students, faculty, and staff of the component institution;

(5) unmanned teller machines and drop-boxes for express delivery services that are located and maintained under an approved written agreement that prohibits advertising the location of the unmanned teller machine or drop-boxes to the general public; or (6) a travel agency under an approved written agreement that limits the use primarily to students, faculty, and staff of the component institution and prohibits advertising the institutional location of the travel agency to the general public.

- (e) The sale or offer for sale by the U. T. System or component institution or a subcontractor of either, under an approved written agreement, of food, drink, souvenirs, novelty items, and programs at athletic contests or other programs or events sponsored or authorized by the U. T. System or component institution.
- (f) The sale of merchandise, food, or non-alcoholic beverages by the students' association or by a registered student, faculty, or staff organization. A students' association or a registered student, faculty, or staff organization may not conduct such solicitation activities on behalf of or for the benefit of any individual, association, organization, corporation, or group of individuals that is not registered as a student, faculty, or staff organization.
- (g) The collection of membership fees or dues by registered student, faculty, or staff organizations at meetings of such organizations scheduled in accordance with the facilities use regulations of any component institution.

- (h) The collection of admission fees for the exhibition of movies or for other programs that are sponsored or presented by the U. T. System or component institution or, if permitted by and scheduled in accordance with the approved rules and regulations of the component institution, by the students' association or by a registered student, faculty, or staff organization.
- (i) Solicitation of funds by any organization that can present to the chief administrative officer of the U. T. System or component institution, or his or her delegate, written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501(c)(3), Internal Revenue Code. Such solicitation must be conducted in an area(s) designated for that purpose by such chief administrative officer or his or her delegate. Persons soliciting on behalf of an organization must have credentials identifying them as authorized agents of the organization. Permission to solicit shall not be used by the organization as an endorsement by the U. T. System or the component institutions. No organization may solicit under this subdivision for more than a total of fourteen days, whether continuous or intermittent, during each state fiscal year.
- (j) Occasional sales or offers of sales of goods or services that comply with applicable federal, state, and local laws and regulations and are conducted solely for the resident(s) of an individual university residence hall room or an individual apartment when a resident of such room or apartment has given specific invitation in advance for salespersons to come to the individual residence hall room or individual apartment for that purpose. This exception does not authorize sales or

offers of sales of goods or services within a university residence hall room or apartment by the occupant, door-to-door sales or offers of sales of goods or services, or sales or offers of sales of goods or services to persons who are present in an individual residence hall room or apartment but are not residents of such room or apartment.

- (k) The acknowledgement of a sponsor of an athletic event or an advertisement announced over a public address system, displayed on a scoreboard or electronic message center or displayed by other means in athletic facilities at locations designated for that purpose pursuant to an approved policy of the component institution.
- (l) Advertising displayed on an outdoor electronic marquee or message center owned and operated by the U. T. System or a component institution.
- (m) Advertising and merchandise displayed at an athletic tournament that is sanctioned by the official national or international organization for such athletic competitions; provided that, such advertising and merchandise is required to be displayed under the terms of one or more contractual agreements between such organization and one or more sponsors and such contracts were in effect prior to the date that a component institution was selected as the site for the tournament.
- (n) The sale or offer for sale by a registered student organization of charitable raffle tickets on behalf of an organization that is authorized to conduct a charitable raffle under the provisions of Article 179f, Vernon's Texas Civil Statutes.

- (o) The display and demonstration by manufacturers and distributors of personal computer hardware and software suitable for use by students and faculty in the academic programs of a component institution and the presentation of information and demonstrations related to remote networks for personal computers by entities that provide access to such networks. Such activities may be conducted once each academic year upon invitation by the chief administrative officer of the component institution or his or her delegate and must be limited to the time and place designated by and under guidelines specified and controlled by the component institution. A manufacturer or distributor of personal computer hardware or software or an entity that provides access to remote networks for personal computers may not make sales or take orders.
- (p) The distribution or presentation to officers and employees of the U. T. System and component institutions of material related to health benefit plans, life insurance, tax sheltered annuities, retirement plans or programs, or other benefits that are available to such officers and employees. Such material may be distributed or presented only at the Office of Human Resources of the U. T. System or component institutions or at meetings scheduled for that purpose pursuant to guidelines established by the U. T. System Office of Human Resources.
- (q) Solicitation by the officers or employees of the U. T. System or component institution acting in the course and scope of their authority.
- (r) The distribution, at no cost, by a students' association or a registered student, faculty, or staff organization of a newspaper, magazine, or other publication that contains paid advertising and is published by such organization at its sole expense.

6.62 No solicitation shall be conducted on the grounds, sidewalks, or streets of any component institution or of the U. T. System, except by the agents, servants, or employees of the U. T. System or component institution acting in the course and scope of their agency or employment, or by the students' association of that institution, or by a registered student, faculty, or staff organization at that institution when authorized under Subsection 6.61. Such solicitation must be conducted in a way that: (a) does not disturb or interfere with the academic programs or administrative activities of the U. T. System or the component institution or any program or activity that is conducted by or is authorized by the U. T. System or component institution; (b) does not interfere with the free and unimpeded flow of pedestrian and vehicular traffic on sidewalks and streets and at places of ingress and egress to and from property, buildings, or facilities; and (c) does not harass, embarrass, or intimidate the person or persons being solicited. If, after reasonable investigation (which investigation shall afford the accused student, employee, or organization every right guaranteed by the due process clauses of the United States and Texas Constitutions) it is determined that solicitation is being or has been conducted in violation of the Regents' Rules and Regulations or the approved rules and regulations of the U. T. System or component institution (1) a student or employee will be subject to such disciplinary action as may be appropriate, and (2) the offending organization shall be prohibited from solicitation for such period or periods of time as shall be appropriate and in the case of repeated violations the registered status of the offending organization may be cancelled or other appropriate penalties may be imposed.

6.63 The students' association and each registered student organization shall, within thirty days after the beginning of each long session semester, file with the Dean of Students or other appropriate official a statement fully disclosing the sources and amounts of money obtained from solicitations during the preceding semester or summer session and fully disclosing the purposes and amounts of the expenditures made during the preceding semester or summer session. Any organization failing to comply with the provisions of this Subsection shall be prohibited from solicitation activities until the organization files the required report.

6.7 Use of Property, Buildings, or Facilities by Students' Associations; Registered Student, Faculty, or Staff Organizations; or Officially Recognized Alumni Associations.--Subject to constitutional and statutory restrictions on the use of state property for religious or political purposes, a students' association; a registered student, faculty, or staff organization; or an officially recognized alumni association that qualifies under Subdivision 6.61(i) of this Section and whose fund-raising activities are dedicated to the benefit of the U. T. System or a component institution, may reserve and use buildings, grounds, and facilities owned or controlled by the U. T. System or component institution in compliance with reasonable and nondiscriminatory time, place, and manner provisions of the approved regulations of the U. T. System and component institution. Such regulations shall specify the procedures under which such organizations may reserve the buildings, grounds, and facilities for their use. Such use must be for purposes permitted by the Regents' Rules and Regulations and be conducted in compliance with Subsection 6.61 and Subsection 6.62. Groups of students, faculty, or staff who are not registered or groups of alumni other than officially recognized alumni associations whose fund-raising activities are dedicated to the benefit of any component institution may not use the institution's buildings, facilities, or grounds.

- 6.71 A students' association, a registered student, faculty, or staff organization, or an alumni association may not reserve or use property, buildings, or facilities owned or controlled by the U. T. System or a component institution for the purpose of engaging in any project or program with any association, organization, or corporation, or with any individual or group of individuals that are not registered.
- 6.72 Students, faculty, or staff, a students' association, or a registered student, faculty, or staff organization, with prior written authorization, may petition, post signs, set up booths, or peacefully demonstrate on property owned or controlled by the U. T. System or component institution.
- 6.73 No person, including a student or employee of a component institution, shall distribute any petition, handbill, object, or piece of literature; post or carry any sign, placard, or banner; or engage in speech or conduct on property or in buildings or facilities owned or controlled by the U. T. System or a component institution if it is obscene, libelous, or directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
- 6.8 Student Center or Student Union.--The use of student center or student union facilities of a component institution shall be subject to Regents' Rules and Regulations and to the approved rules and regulations of the component institution.
- 6.9 Joint Sponsorship of the Use of Property, Buildings, or Facilities.--Except as permitted in Subdivision 6.61, Subsection 6.(10), and Subsection 6.(11), the use of property, buildings, or facilities owned or controlled by the U. T. System or a component institution by individuals who are not students, faculty, or staff; by groups that are not registered student, faculty, or staff organizations; or by associations or corporations for programs or activities must be jointly sponsored by the U. T. System or the component institution and shall be subject to the following conditions.

- 6.91 The program or activity must be upon the invitation of the U. T. System or component institution. Only the chief administrative officer of the U. T. System or component institution, or his or her delegate, can authorize joint sponsorship.
- 6.92 In order for joint sponsorship to be appropriate, the educational implications of a program or activity must be self-evident, must directly supplement the educational purposes of the U. T. System or component institution, and must not result in financial gain for the invited individual, group, association, or corporation.
- 6.93 The U. T. System and component institutions established as public institutions without regard to political affiliation or religious faith cannot be a joint sponsor for political or sectarian gatherings.
- 6.94 The U. T. System or component institution will be responsible for all details of the program or activity, and reserves the right to approve all copy for advertising and news releases, and may require an accounting of the income and expenses directly related to the program or activity.
- 6.95 The scheduling of property, buildings, or facilities for programs or activities of the U. T. System or component institution shall always have priority over the scheduling for programs or activities that are jointly sponsored.
- 6.96 The fee to be paid by the invited individual, group, association, or corporation will be a matter for negotiation in each case and will be specified in the agreement providing for the joint sponsorship. At a minimum, the fee must ensure recovery of the cost incurred by the U. T. System or component institution.

- 6.(10) Special Use Facilities.--Notwithstanding any other provisions of this Chapter, the chief administrative officer of a component institution may designate specific facilities, such as special event centers, conference centers, concert halls, theaters, or auditoria, as Special Use Facilities. The chief administrative officer shall cause to be prepared and submitted for approval, as a part of the Handbook of Operating Procedures of the component institution, appropriate rules and regulations for the reservation and use of Special Use Facilities. The rules and regulations must restrict the reservation and use of such facilities in accordance with the following:
- 6.(10)1 Designation as a Special Use Facility shall not constitute the facility a public facility or forum that is open to use by individuals, groups, associations, or corporations on a first come, first served basis.
  - 6.(10)2 Priority in the reservation and use of Special Use Facilities shall be given to programs and activities of the U. T. System or component institution that are in furtherance of and related to the educational, cultural, recreational, and athletic programs of the U. T. System or component institution.
  - 6.(10)3 As a lower priority, the rules and regulations may provide for reservation and use of Special Use Facilities by individuals, groups, associations, or corporations without the necessity of joint sponsorship by the U. T. System or component institution. Rates must be charged for the use of the Special Use Facility that, at a minimum, ensure recovery of that part of the operating cost of the facility attributable directly or indirectly to such use. If the user charges those attending an event any admission or registration fee, or accepts donations from those in attendance, the component institution shall require the user to make a complete account of all funds collected and of the actual cost of the event. If the funds collected exceed the actual cost of the event, the user shall be required to remit such excess funds to the component institution as an additional charge for the use of the Special Use Facility.

- 6.(10)4 Subject to all constitutional and statutory provisions relating to the use of state property or funds for religious or political purposes, and subject to Subsection 6.(10)3, Special Use Facilities may be made available for religious and political conferences or conventions. Religious organizations applying for use of a Special Use Facility must submit written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501(c)(3) of the Internal Revenue Code. Political organizations applying for use of a Special Use Facility must present written evidence that the organization had candidates for either federal, state, district, or local offices listed on the ballot at the last general election.
- 6.(10)5 The rules and regulations applicable to a Special Use Facility may provide for the rental of space for display of advertising and the display of samples of merchandise in designated areas inside the Facility that have been approved by the chief administrative officer of the component institution or his or her delegate, and for advertising by displays on an electronic scoreboard or message center inside the Facility or on the Facility's outdoor electronic marquee or message center. Such rules and regulations may further provide for the sale of advertising space on ticket envelopes for events sponsored by the Facility and in any publication of the Facility distributed in connection with a sponsored event or announcing future sponsored events.
- 6.(11) Use of Property, Buildings, or Facilities for Filming Motion Pictures or Television Productions.--The chief administrative officer of the U. T. System or a component institution or his or her delegate may authorize the use of property, buildings, or facilities owned or controlled by the U. T. System or component institution for filming motion pictures or television productions under a written agreement approved pursuant to U. T. System procedures.

Requests to film a motion picture or television production will be reviewed and considered on a case by case basis and, subject to the provisions of this Subsection, it shall be within the discretion of the chief administrative officer or his or her delegate to determine whether to grant the request. The safety of students, faculty, and staff; the potential for damage to buildings, facilities, or property and for disruption of administrative or academic programs or other scheduled activities; and the subject matter of the film shall be of primary consideration in determining whether to grant a filming request.

- 6.(11)1 The chief administrative officer or his or her delegate will be responsible for assuring that scheduled time(s) and location(s) for filming do not interfere with administrative and academic programs or other scheduled activities of the U. T. System or component institution.
- 6.(11)2 The U. T. System or a component institution shall not be identified as the filming location in the film credits or in any media advertising for the film. The film may not include any building, statue, fountain, facility, mark, symbol, or logo that identifies the U. T. System or a component institution as the filming location. This prohibition shall not apply to the filming of an approved script that relates to the life and accomplishments of a present or former officer or employee of the U. T. System or of the component institution at which the script is filmed.
- 6.(11)3 The script for the motion picture or television production must be approved by the chief administrative officer or his or her delegate.
- 6.(11)4 The production company must have been in existence for at least three (3) years and produced one or more motion pictures that have been distributed and exhibited nationwide or one or more television programs that have been broadcast by a major television network, e.g. ABC, CBS, FOX, NBC.

- 6.(11)5 The production company must provide a policy of comprehensive general liability and property damage insurance issued by a company authorized to do business in the State of Texas naming the Board of Regents, the U. T. System, the component institution, and the officers and employees of each as additional insureds, providing coverage for bodily injury and death of persons and damage to property that result directly or indirectly from the negligent or intentional act or omission of, or from the use or condition of any property, equipment, machinery, or vehicle used, operated, or controlled by, the production company or its officers, employees, agents, or subcontractors while on property owned or controlled by the U. T. System or a component institution. The limits of coverage shall be determined by the chief administrative officer or his or her delegate on the basis of the nature and extent of the activities to be conducted by the production company and the property, buildings, or facilities to be utilized. In no event shall the limits of liability for each occurrence be less than five million dollars (\$5,000,000.00) for bodily injury or death of a person and one million dollars (\$1,000,000.00) for property damage.
- 6.(11)6 A use fee will be established in each case based upon the nature and extent of the activities of the production company and the U. T. System or component institution property, buildings, facilities, personnel, and services that are required to accommodate such activities. The use fee must be paid in advance by a certified or cashier's check made payable to the U. T. System or component institution. If the production company cancels a scheduled use, the deposit, less any expense incurred by the U. T. System or component institution in preparation for such use, will be refunded.

Sec. 7. Speech and Assembly.

7.1 The freedoms of speech and assembly are basic and essential to intellectual development. However, these activities are subject to the well-established right of colleges and universities to regulate time, place, and manner so that the activities do not intrude upon or interfere with the academic programs and administrative processes of the System or the component institutions. Each component institution may designate one or more appropriate areas on the campus where students may assemble and engage in speech activities without prior administrative approval. In other areas on the campus, all speech and assembly activities must be conducted in accordance with the provisions of this Chapter and the rules and regulations of the component institution.

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

7.2 Off-Campus Speakers.--The Board has and reserves the right to regulate the presentation of guest speakers on the campus who are unaffiliated with the System or any component institution thereof (hereafter referred to as off-campus speakers).

7.21 Only registered student organizations, faculty or staff organizations, System-owned dormitories, and Student Government may present off-campus speakers on the campus.

- 7.22 The organization sponsoring an off-campus speaker has the responsibility of making clear the fact that the organization, not the institution, is extending the invitation to speak and that any views the speaker may express are his or her own and not necessarily those of the System or of any component institution.
- 7.23 An off-campus speaker is subject to all provisions of federal, state and/or local laws.
- 7.24 Registered student organizations, faculty or staff organizations, University-owned dormitories, and the students' association may be permitted the use of System-owned facilities to present off-campus speakers on campus pursuant to the facilities use regulations of the System and the institution.
- 7.25 An application for the use of any facility of the System or a component institution must be made to the chief administrative officer, or his or her delegate, at least forty-eight hours before the time the event is scheduled to take place.
- 7.26 No person shall be permitted on any campus of the System to engage in speech, either orally or in writing, that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

7.27 No off-campus speaker who is to be paid from state funds as consideration for his or her speech shall be permitted to speak on the campus of any component institution of the System unless the university facility in which the speech is to be delivered will be open to the public, including members of the news media, who will be entitled to record, videotape, or telecast live portions of the speech. The provisions of this subdivision do not apply to classes, seminars, symposia, and conferences intended for the use and benefit of students, faculty, staff and invited guests. No person may in any way obstruct or lessen in any way the opportunity for the audience to take the fullest advantage of the speech, including the opportunity to see and hear the speaker during the entire speech.

Sec. 8. Off-Campus Student Housing.--The component institutions of the System will not extend Approved Housing status to any student residential units except those directly operated by the System. Each student at a component institution will have free choice in the selection of his or her non-University-operated residential accommodations, subject to parietal rules.

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

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

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

- Sec. 10. Anonymous Publications.--Anonymous publications are prohibited. Any student publishing or aiding in publishing, or circulating or aiding in circulating, any anonymous publication will be subject to discipline.
- Sec. 11. Negotiations Prohibited.--Neither the chief administrative officer nor any officer in the System Administration, nor any representative of either of them when dealing with disruptive activities, shall negotiate or attempt to negotiate with any person or persons engaged in any disruptive activity on the campus of any component institution of the System. When such a situation arises, the chief administrative officer or any officer in the System Administration, or any representative of either of them, shall take immediate action to utilize all lawful measures to halt and eliminate any and all such disruptive activities that come to their attention.
- Sec. 12. Animals on Campus.--With the exception of certified support animals and animals involved in approved University activities, animals are not permitted in any university building. Animal(s) may be brought onto campus, other than in buildings, but should be appropriately restrained and/or contained. The owner shall be responsible for cleaning up after the animal.

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 41 - 62).--Committee Chairman Lebermann reported that the Academic Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

- 1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 1, Subsection 1.8, Subdivisions 1.83 and 1.84 (Academic Titles).-- Upon recommendation of the Academic Affairs and Health Affairs Committees, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 1, Subsection 1.8, Subdivisions 1.83 and 1.84 regarding academic titles to read as set forth below:

1.8 Academic Titles.

. . .  
1.83 . . .

- (i) In the general academic institutions with health-related clinical programs, persons appointed to full-time positions for the primary purpose of patient care and other service activities shall be given one of the following titles, even though the individuals may be assigned teaching or research responsibilities:

- (1) Professor of Clinical  
.....  
(title of specialty)
- (2) Associate Professor of Clinical  
.....  
(title of specialty)
- (3) Assistant Professor of Clinical  
.....  
(title of specialty)
- (4) Instructor in Clinical  
.....  
(title of specialty)

For persons appointed to positions pursuant to this Item, all appointment letters, personnel forms, budgets and other official documents shall state in parenthesis following the name and title of the individual either "(nontenure-track clinical appointment)" or "(nontenure-track appointment)," as appropriate, and service in such positions shall not be credited as faculty service toward calculation of any maximum probationary period.

(j) In the health components, persons appointed to full-time positions for the primary purpose of either research activities or patient care and other service activities shall be given one of the following titles, even though the individuals may be assigned teaching responsibilities:

(1) Professor of

(title of specialty)

(2) Associate Professor of

(title of specialty)

(3) Assistant Professor of

(title of specialty)

(4) Instructor in

(title of specialty)

For persons appointed to positions pursuant to this Item, all appointment letters, personnel forms, budgets and other official documents shall state in parenthesis following the name and title of the individual either "(nontenure-track clinical appointment)" or "(nontenure-track research appointment)," as appropriate, and service in such positions shall not be credited as faculty service toward calculation of any maximum probationary period.

1.84 Prefixes to academic and staff positions in which tenure cannot be acquired:

(a) Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. These titles are used only for temporary appointments of persons either visiting from other institutions where they hold similar ranks or who are brought to the University on a trial basis. Such appointments are limited to two years unless an exception is approved in writing by the appropriate Executive Vice Chancellor.

These amendments clarify that clinical faculty at the health components or in health-related clinical programs at the academic components may engage in clinical teaching activity without limitation that the teaching be "incidental."

The amended Subdivision 1.84, Item (a) makes the current appointment term limit of two years for visiting faculty positions more flexible upon written administrative approval.

2. U. T. Board of Regents - Regents' Rules and Regulations: Amendments to Part One, Chapter III, Section 13, Subsection 13.7 (Outside Employment) and Part Two, Chapter XII, Section 2, Subsection 2.3 (Intellectual Property). --The Academic Affairs and Health Affairs Committees recommended and the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 13, Subsection 13.7 (Outside Employment) to read as set forth below:

13.7 Every member of the faculty or staff who gives professional opinions must protect the System and its component institutions against the use of such opinions for advertising purposes. If the employee does work in a private capacity, the employee must make it clear to those who employ him or her that the work is unofficial and that the name of the System and its component institutions is not in any way to be connected with the employee's name, except when used to identify the employee as the author of work related to the employee's academic or research area as more fully described in Part Two, Chapter XII, Section 2, Subsection 2.3.

Further, the Board amended the Regents' Rules and Regulations, Part Two, Chapter XII, Section 2, Subsection 2.3 (Intellectual Property) to read as set forth below:

2.3 The Board will not assert an interest in faculty authored scholarly works, art works, musical compositions and dramatic and non-dramatic literary works related to the faculty member's professional field, regardless of the medium of expression, unless such work is commissioned by the System or a component institution of the System or is a work for hire pursuant to Subsection 2.4.

These amendments expand the definition of faculty authored scholarly works to cover new types of publications such as CD-ROM products and allow a faculty member to retain intellectual property rights for scholarly works which are related to the faculty member's professional field and which are not commissioned by the University.

3. U. T. Board of Regents - Regents' Rules and Regulations: Amendments to Part One, Chapter VI, Section 6 (Use of University-Owned Facilities) and Part Two, Chapter X, Section 9 (Student Union Facilities).--The Board, upon recommendation of the Academic Affairs and Health Affairs Committees, amended the Regents' Rules and Regulations, Part One, Chapter VI, Section 6 regarding use of university-owned facilities to read as set forth below:

Sec. 6. Use of University Facilities. This Section applies only to property, buildings, and facilities owned or controlled by the U. T. System or component institutions that are maintained and used for programs and activities related to the role and mission of the U. T. System or component institutions.

- 6.1 The property, buildings, or facilities owned or controlled by the U. T. System or component institutions are not open for assembly, speech, or other activities as are the public streets, sidewalks, and parks. The responsibility of the Board of Regents to operate and maintain an effective and efficient system of institutions of higher education requires that the time, place, and manner of assembly, speech, and other activities on the grounds and in the buildings and facilities of the U. T. System or component institutions be regulated. Acting pursuant to the general authority of Chapter 65 of the Texas Education Code and the specific authority of Chapter 51 of the Texas Education Code, the Board of Regents adopts and promulgates this Section relating to the use of buildings, grounds and facilities for purposes other than programs and activities related to the role and mission of the U. T. System or component institution.
- 6.2 No person, organization, group, association, or corporation may use property, buildings, or facilities owned or controlled by the U. T. System or a component institution for any purpose other than in the course of the regular programs or activities related to the role and mission of the U. T. System or component institution, unless authorized by the Regents' Rules and Regulations. Any authorized use must be conducted in compliance with the provisions of the Regents' Rules and Regulations, the approved rules and regulations of the component institution, and applicable federal, state, and local laws and regulations.
- 6.3 Identification Required.--Pursuant to the authority conferred upon the Board of Regents by Section 51.209, Texas Education Code, in order to protect the safety and welfare of students, employees, patients, and other participants in the programs and activities of the U. T. System and component institutions and to protect the property, buildings, and facilities of the U. T. System and component

institutions, it shall be unlawful for any person who is on any property or in a building or facility owned or controlled by the U. T. System or a component institution to refuse to identify himself or herself in response to a request by an institutional representative. For the purpose of this Subsection, a person identifies himself or herself by: (1) giving his or her name and complete address substantiated by a current driver's license, voter registration card, or other official documentation; and (2) stating truthfully whether he or she is a student or employee of the U. T. System or a component institution.

6.31 For the purpose of this Subsection, an "institutional representative" is:

- (a) any member of the Board of Regents of the U. T. System or the Executive Secretary to the Board;
- (b) any executive officer or administrative officer of the U. T. System;
- (c) any administrative officer of a component institution;
- (d) any attorney of the U. T. System or a component institution; and
- (e) any peace officer or security officer of the U. T. System or component institution acting pursuant to authority of Texas law.

6.32 Any person who refuses to identify himself or herself in accordance with this Subsection may be convicted of a misdemeanor punishable by a fine of not more than \$200.

6.33 Students, faculty, or staff who refuse to identify themselves in accordance with this Subsection are also subject to disciplinary action.

6.4 Protection of Artificial Bodies of Water, and Other Property.--Pursuant to the authority conferred upon the Board of Regents by Sections 51.202 and 51.204, Texas Education Code, in order to protect the safety and welfare of students, faculty, and staff and to protect the property, buildings, and facilities of the U. T. System and component institutions, it shall be unlawful for any person to enter, walk, run, lie, play, remain, or be in the water of any fountain or other artificial body of water, which is not designed and maintained for recreational or therapeutic purposes, located on property owned or controlled by the U. T. System or a component institution unless such person has the prior written permission of the chief administrative officer of the U. T. System or the component institution to enter, remain, or be in such water.

6.41 It shall further be unlawful for any person to dump, throw, place, or cause any material, object, person, animal, trash, waste, or debris to be placed in such fountain or other artificial body of water.

- 6.42 It shall also be unlawful for any person to damage, deface, or remove any portion of any fountain, monument, building, statue, structure, facility, tree, shrub, or memorial located on property owned or controlled by the U. T. System or a component institution.
- 6.43 Any person who violates any provision of this Subsection may be convicted of a misdemeanor punishable by a fine of not more than \$200.
- 6.44 Students, faculty, or staff who violate any portion of this Subsection are also subject to disciplinary action.
- 6.5 Alcoholic Beverages.--The use of alcoholic beverages is prohibited on property and in buildings and facilities owned or controlled by the U. T. System or a component institution. However, the chief administrative officer of the U. T. System or a component institution may waive this prohibition with respect to any event sponsored by the U. T. System or the component institution. An event is sponsored if a budgeted office, department, or division of the U. T. System or the component institution is responsible for organizing the event, inviting attendees, and paying expenses related to the event, including the purchase of food and beverages. Meetings or events organized and presented by registered faculty, staff, or student organizations are not events sponsored by the U. T. System or the component institution. This Subsection does not apply to areas that are licensed under state law for the sale and service of alcoholic beverages, to a Special Use Facility during use by a noninstitutional individual, group, association, or corporation for purposes permitted by Subsection 6.(10), or to property, buildings, or facilities that are occupied by a third party pursuant to a written lease or occupancy agreement that does not specifically exclude alcoholic beverages. State law relating to alcoholic beverages will be strictly enforced at all times on property and in buildings and facilities owned or controlled by the U. T. System or a component institution.
- 6.6 Solicitation.--The term "solicitation" means the sale, lease, rental or offer for sale, lease, rental of any property, product, merchandise, publication, or service, whether for immediate or future delivery; an oral statement or the distribution or display of printed material, merchandise, or products that is designed to encourage the purchase, use, or rental of any property, product, merchandise, publication, or service; the oral or written appeal or request to support or join an organization other than a registered student, faculty, or staff organization; the receipt of or request for any gift or contribution; or the request to support or oppose or to vote for or against a candidate, issue, or proposition appearing on the ballot at any election held pursuant to state or federal law or local ordinances.

6.61 No solicitation shall be conducted on property or in any building, structure, or facility owned or controlled by any component institution or the U. T. System unless permitted by the Regents' Rules and Regulations. The following activities shall not be deemed solicitations prohibited by this Subsection when conducted in accordance with the approved rules and regulations of the U. T. System or the component institution. Such activities must be conducted in a manner that does not disturb or interfere with the academic programs or administrative activities of the U. T. System or the component institution or any program or activity that is conducted by or is authorized by the U. T. System or component institution; does not interfere with entry to or exit from a building, structure, or facility; does not interfere with the flow of pedestrians or vehicular traffic on sidewalks or streets; and does not violate applicable state, federal, or local law or regulation:

- (a) The distribution, sale, or offer for sale of a newspaper, magazine, or other publication by means of an unattended rack or vending machine in area(s) designated in advance by the chief administrative officer of the U. T. System or a component institution or his or her delegate for the conduct of such activity.
- (b) The sale or offer for sale of food, drink, or any other product that may be lawfully sold by means of a vending machine that is operated by the U. T. System or component institution or a subcontractor of either, under an approved written agreement, in an area designated in advance by the chief administrative officer of the U. T. System or the component institution or his or her delegate.
- (c) The sale or offer for sale by the U. T. System or component institution or a subcontractor of either, under an approved written agreement, of any publication of the U. T. System or the component institution or of any book or other printed material to be used in the regular academic work of the component institution.
- (d) Any service or service facility for the convenience of the students, staff, faculty, patients, or bona fide visitors that is operated or maintained by the U. T. System or component institution or by a

- subcontractor or lessee of either, under an approved written agreement, including, but not limited to: (1) any bookstore, specialty store, laundry, pharmacy, cafeteria, or food service; (2) a child care facility limited to children or bona fide dependents of students, faculty, or staff; (3) a state or federal credit union with membership limited primarily to students, faculty, and staff of the component institution and other area institutions of higher education or other component institutions and the U. T. System, and the officers and employees of organizations closely related to the component institution's educational mission, such as officially recognized alumni associations and cooperative bookstores; (4) private post office boxes under an approved written agreement that limits the use to students, faculty, and staff of the component institution; (5) unmanned teller machines and drop-boxes for express delivery services that are located and maintained under an approved written agreement that prohibits advertising the location of the unmanned teller machine or drop-boxes to the general public; or (6) a travel agency under an approved written agreement that limits the use primarily to students, faculty, and staff of the component institution and prohibits advertising the institutional location of the travel agency to the general public.
- (e) The sale or offer for sale by the U. T. System or component institution or a subcontractor of either, under an approved written agreement, of food, drink, souvenirs, novelty items, and programs at athletic contests or other programs or events sponsored or authorized by the U. T. System or component institution.
- (f) The sale of merchandise, food, or nonalcoholic beverages by the students' association or by a registered student, faculty, or staff organization. A students' association or a registered student, faculty, or staff organization may not conduct such solicitation activities on behalf of or for the benefit of any individual, association, organization, corporation, or group of individuals that is not registered as a student, faculty, or staff organization.
- (g) The collection of membership fees or dues by registered student, faculty, or staff organizations at meetings of such organizations scheduled in accordance with the facilities use regulations of any component institution.

- (h) The collection of admission fees for the exhibition of movies or for other programs that are sponsored or presented by the U. T. System or component institution or, if permitted by and scheduled in accordance with the approved rules and regulations of the component institution, by the students' association or by a registered student, faculty, or staff organization.
- (i) Solicitation of funds by any organization that can present to the chief administrative officer of the U. T. System or component institution, or his or her delegate, written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501(c)(3), Internal Revenue Code. Such solicitation must be conducted in an area(s) designated for that purpose by such chief administrative officer or his or her delegate. Persons soliciting on behalf of an organization must have credentials identifying them as authorized agents of the organization. Permission to solicit shall not be used by the organization as an endorsement by the U. T. System or the component institutions. No organization may solicit under this subdivision for more than a total of fourteen days, whether continuous or intermittent, during each state fiscal year.
- ✓ (j) Occasional sales or offers of sales of goods or services that comply with applicable federal, state, and local laws and regulations and are conducted solely for the resident(s) of an individual university residence hall room or an individual apartment when a resident of such room or apartment has given specific invitation in advance for salespersons to come to the individual residence hall room or individual apartment for that purpose. This exception does not authorize sales or offers of sales of goods or services within a university residence hall room or apartment by the occupant, door-to-door sales or offers of sales of goods or services, or sales or offers of sales of goods or services to persons who are present in an individual residence hall room or apartment but are not residents of such room or apartment.
- (k) The acknowledgement of a sponsor of an athletic event or an advertisement announced over a public address system, displayed on a scoreboard or electronic message center or displayed by other means in athletic facilities at locations designated for that purpose pursuant to an approved policy of the component institution.

- (l) Advertising displayed on an outdoor electronic marquee or message center owned and operated by the U. T. System or a component institution.
- (m) Advertising and merchandise displayed at an athletic tournament that is sanctioned by the official national or international organization for such athletic competitions; provided that, such advertising and merchandise is required to be displayed under the terms of one or more contractual agreements between such organization and one or more sponsors and such contracts were in effect prior to the date that a component institution was selected as the site for the tournament.
- (n) The sale or offer for sale by a registered student organization of charitable raffle tickets on behalf of an organization that is authorized to conduct a charitable raffle under the provisions of Article 179f, Vernon's Texas Civil Statutes.
- (o) The display and demonstration by manufacturers and distributors of personal computer hardware and software suitable for use by students and faculty in the academic programs of a component institution and the presentation of information and demonstrations related to remote networks for personal computers by entities that provide access to such networks. Such activities may be conducted once each academic year upon invitation by the chief administrative officer of the component institution or his or her delegate and must be limited to the time and place designated by and under guidelines specified and controlled by the component institution. A manufacturer or distributor of personal computer hardware or software or an entity that provides access to remote networks for personal computers may not make sales or take orders.
- (p) The distribution or presentation to officers and employees of the U. T. System and component institutions of material related to health benefit plans, life insurance, tax sheltered annuities, retirement plans or programs, or other benefits that are available to such officers and employees. Such material may be distributed or presented only at the Office of Human Resources of the U. T. System or component institutions or at meetings scheduled for that purpose pursuant to guidelines established by the U. T. System Office of Human Resources.
- (q) Solicitation by the officers or employees of the U. T. System or component institution acting in the course and scope of their authority.

(r) The distribution, at no cost, by a students' association or a registered student, faculty, or staff organization of a newspaper, magazine, or other publication that contains paid advertising and is published by such organization at its sole expense.

6.62 No solicitation shall be conducted on the grounds, sidewalks, or streets of any component institution or of the U. T. System, except by the agents, servants, or employees of the U. T. System or component institution acting in the course and scope of their agency or employment, or by the students' association of that institution, or by a registered student, faculty, or staff organization at that institution when authorized under Subsection 6.61. Such solicitation must be conducted in a way that: (a) does not disturb or interfere with the academic programs or administrative activities of the U. T. System or the component institution or any program or activity that is conducted by or is authorized by the U. T. System or component institution; (b) does not interfere with the free and unimpeded flow of pedestrian and vehicular traffic on sidewalks and streets and at places of ingress and egress to and from property, buildings, or facilities; and (c) does not harass, embarrass, or intimidate the person or persons being solicited. If, after reasonable investigation (which investigation shall afford the accused student, employee, or organization every right guaranteed by the due process clauses of the United States and Texas Constitutions) it is determined that solicitation is being or has been conducted in violation of the Regents' Rules and Regulations or the approved rules and regulations of the U. T. System or component institution (1) a student or employee will be subject to such disciplinary action as may be appropriate, and (2) the offending organization shall be prohibited from solicitation for such period or periods of time as shall be appropriate and in the case of repeated violations the registered status of the offending organization may be cancelled or other appropriate penalties may be imposed.

6.63 The students' association and each registered student organization shall, within thirty days after the beginning of each long session semester, file with the Dean of Students or other appropriate official a statement fully disclosing the sources and amounts of money obtained from solicitations during the preceding semester or summer session and fully

disclosing the purposes and amounts of the expenditures made during the preceding semester or summer session. Any organization failing to comply with the provisions of this Subsection shall be prohibited from solicitation activities until the organization files the required report.

- 6.7 Use of Property, Buildings, or Facilities by Students' Associations; Registered Student, Faculty, or Staff Organizations; or Officially Recognized Alumni Associations.--Subject to constitutional and statutory restrictions on the use of state property for religious or political purposes, a students' association; a registered student, faculty, or staff organization; or an officially recognized alumni association that qualifies under Subdivision 6.61(i) of this Section and whose fund-raising activities are dedicated to the benefit of the U. T. System or a component institution, may reserve and use buildings, grounds, and facilities owned or controlled by the U. T. System or component institution in compliance with reasonable and nondiscriminatory time, place, and manner provisions of the approved regulations of the U. T. System and component institution. Such regulations shall specify the procedures under which such organizations may reserve the buildings, grounds, and facilities for their use. Such use must be for purposes permitted by the Regents' Rules and Regulations and be conducted in compliance with Subsection 6.61 and Subsection 6.62. Groups of students, faculty, or staff who are not registered or groups of alumni other than officially recognized alumni associations whose fund-raising activities are dedicated to the benefit of any component institution may not use the institution's buildings, facilities, or grounds.
- 6.71 A students' association, a registered student, faculty, or staff organization, or an alumni association may not reserve or use property, buildings, or facilities owned or controlled by the U. T. System or a component institution for the purpose of engaging in any project or program with any association, organization, or corporation, or with any individual or group of individuals that are not registered.
- 6.72 Students, faculty, or staff, a students' association, or a registered student, faculty, or staff organization, with prior written authorization, may petition, post signs, set up booths, or peacefully demonstrate on property owned or controlled by the U. T. System or component institution.

6.73 No person, including a student or employee of a component institution, shall distribute any petition, handbill, object, or piece of literature; post or carry any sign, placard, or banner; or engage in speech or conduct on property or in buildings or facilities owned or controlled by the U. T. System or a component institution if it is obscene, libelous, or directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

6.8 Student Center or Student Union.--The use of student center or student union facilities of a component institution shall be subject to Regents' Rules and Regulations and to the approved rules and regulations of the component institution.

6.9 Joint Sponsorship of the Use of Property, Buildings, or Facilities.--Except as permitted in Subdivision 6.61, Subsection 6.(10), and Subsection 6.(11), the use of property, buildings, or facilities owned or controlled by the U. T. System or a component institution by individuals who are not students, faculty, or staff; by groups that are not registered student, faculty, or staff organizations; or by associations or corporations for programs or activities must be jointly sponsored by the U. T. System or the component institution and shall be subject to the following conditions.

6.91 The program or activity must be upon the invitation of the U. T. System or component institution. Only the chief administrative officer of the U. T. System or component institution, or his or her delegate, can authorize joint sponsorship.

6.92 In order for joint sponsorship to be appropriate, the educational implications of a program or activity must be self-evident, must directly supplement the educational purposes of the U. T. System or component institution, and must not result in financial gain for the invited individual, group, association, or corporation.

6.93 The U. T. System and component institutions established as public institutions without regard to political affiliation or religious faith cannot be a joint sponsor for political or sectarian gatherings.

6.94 The U. T. System or component institution will be responsible for all details of the program or activity, and reserves the right to approve all copy for advertising and news releases, and may require an accounting of the income and expenses directly related to the program or activity.

- 6.95 The scheduling of property, buildings, or facilities for programs or activities of the U. T. System or component institution shall always have priority over the scheduling for programs or activities that are jointly sponsored.
- 6.96 The fee to be paid by the invited individual, group, association, or corporation will be a matter for negotiation in each case and will be specified in the agreement providing for the joint sponsorship. At a minimum, the fee must ensure recovery of the cost incurred by the U. T. System or component institution.

6.(10) Special Use Facilities.--Notwithstanding any other provisions of this Chapter, the chief administrative officer of a component institution may designate specific facilities, such as special event centers, conference centers, concert halls, theaters, or auditoria, as Special Use Facilities. The chief administrative officer shall cause to be prepared and submitted for approval, as a part of the Handbook of Operating Procedures of the component institution, appropriate rules and regulations for the reservation and use of Special Use Facilities. The rules and regulations must restrict the reservation and use of such facilities in accordance with the following:

- 6.(10)1 Designation as a Special Use Facility shall not constitute the facility a public facility or forum that is open to use by individuals, groups, associations, or corporations on a first come, first served basis.
- 6.(10)2 Priority in the reservation and use of Special Use Facilities shall be given to programs and activities of the U. T. System or component institution that are in furtherance of and related to the educational, cultural, recreational, and athletic programs of the U. T. System or component institution.
- 6.(10)3 As a lower priority, the rules and regulations may provide for reservation and use of Special Use Facilities by individuals, groups, associations, or corporations without the necessity of joint sponsorship by the U. T. System or component institution. Rates must be charged for the use of the Special Use Facility that, at a minimum, ensure recovery of that part of the operating cost of the facility attributable directly or indirectly to such use. If the user charges those attending an event any admission or registration fee, or accepts donations from those in

attendance, the component institution shall require the user to make a complete account of all funds collected and of the actual cost of the event. If the funds collected exceed the actual cost of the event, the user shall be required to remit such excess funds to the component institution as an additional charge for the use of the Special Use Facility.

6.(10)4

Subject to all constitutional and statutory provisions relating to the use of state property or funds for religious or political purposes, and subject to Subsection 6.(10)3, Special Use Facilities may be made available for religious and political conferences or conventions. Religious organizations applying for use of a Special Use Facility must submit written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501(c)(3) of the Internal Revenue Code. Political organizations applying for use of a Special Use Facility must present written evidence that the organization had candidates for either federal, state, district, or local offices listed on the ballot at the last general election.

6.(10)5

The rules and regulations applicable to a Special Use Facility may provide for the rental of space for display of advertising and the display of samples of merchandise in designated areas inside the Facility that have been approved by the chief administrative officer of the component institution or his or her delegate, and for advertising by displays on an electronic scoreboard or message center inside the Facility or on the Facility's outdoor electronic marquee or message center. Such rules and regulations may further provide for the sale of advertising space on ticket envelopes for events sponsored by the Facility and in any publication of the Facility distributed in connection with a sponsored event or announcing future sponsored events.

- 6.(11) Use of Property, Buildings, or Facilities for Filming Motion Pictures or Television Productions.--The chief administrative officer of the U. T. System or a component institution or his or her delegate may authorize the use of property, buildings, or facilities owned or controlled by the U. T. System or component institution for filming motion pictures or television productions under a written agreement approved pursuant to U. T. System procedures. Requests to film a motion picture or television production will be reviewed and considered on a case by case basis and, subject to the provisions of this Subsection, it shall be within the discretion of the chief administrative officer or his or her delegate to determine whether to grant the request. The safety of students, faculty, and staff; the potential for damage to buildings, facilities, or property and for disruption of administrative or academic programs or other scheduled activities; and the subject matter of the film shall be of primary consideration in determining whether to grant a filming request.
- 6.(11)1 The chief administrative officer or his or her delegate will be responsible for assuring that scheduled time(s) and location(s) for filming do not interfere with administrative and academic programs or other scheduled activities of the U. T. System or component institution.
- 6.(11)2 The U. T. System or a component institution shall not be identified as the filming location in the film credits or in any media advertising for the film. The film may not include any building, statue, fountain, facility, mark, symbol, or logo that identifies the U. T. System or a component institution as the filming location. This prohibition shall not apply to the filming of an approved script that relates to the life and accomplishments of a present or former officer or employee of the U. T. System or of the component institution at which the script is filmed.
- 6.(11)3 The script for the motion picture or television production must be approved by the chief administrative officer or his or her delegate.

- 6.(11)4 The production company must have been in existence for at least three (3) years and produced one or more motion pictures that have been distributed and exhibited nationwide or one or more television programs that have been broadcast by a major television network, e.g. ABC, CBS, FOX, NBC.
- 6.(11)5 The production company must provide a policy of comprehensive general liability and property damage insurance issued by a company authorized to do business in the State of Texas naming the Board of Regents, the U. T. System, the component institution, and the officers and employees of each as additional insureds, providing coverage for bodily injury and death of persons and damage to property that result directly or indirectly from the negligent or intentional act or omission of, or from the use or condition of any property, equipment, machinery, or vehicle used, operated, or controlled by, the production company or its officers, employees, agents, or subcontractors while on property owned or controlled by the U. T. System or a component institution. The limits of coverage shall be determined by the chief administrative officer or his or her delegate on the basis of the nature and extent of the activities to be conducted by the production company and the property, buildings, or facilities to be utilized. In no event shall the limits of liability for each occurrence be less than five million dollars (\$5,000,000.00) for bodily injury or death of a person and one million dollars (\$1,000,000.00) for property damage.
- 6.(11)6 A use fee will be established in each case based upon the nature and extent of the activities of the production company and the U. T. System or component institution property, buildings, facilities, personnel, and services that are required to accommodate such activities. The use fee must be paid in advance by a certified or cashier's check made payable to the U. T. System or component institution. If the production company cancels a scheduled use, the deposit, less any expense incurred by the U. T. System or component institution in preparation for such use, will be refunded.

Further, the Board amended the Regents' Rules and Regulations, Part Two, Chapter X, Section 9 regarding student union facilities to read as set forth below:

Sec. 9. Student Center and Student Union Facilities.-- Rules and regulations for the establishment, administration and operation of student center or union facilities shall be promulgated by administrative officials and the chief administrative officer at the institution concerned, provided that such rules and regulations shall not be effective until approved by the appropriate Executive Vice Chancellor for inclusion in the institutional Handbook of Operating Procedures. Rules and regulations for the use of student center or union facilities shall be consistent with the provisions of the Regents' Rules and Regulations, Part One, Chapter VI, Section 6.

The changes to the Regents' Rules and Regulations, Part One, Chapter VI, Section 6 are intended to clarify permissible activities and use of facilities including solicitation on institutional and U. T. System property and to provide more flexibility to conduct desirable fund raising activities.

The amendment to Part Two, Chapter X, Section 9 adds a clarifying cross-reference between Section 9 and the primary rules governing use of student union and student center facilities contained in Part One, Chapter VI, Section 6.

4. U. T. System: Approval to Exempt Students 55 Years of Age or Older from Certain Testing Requirements.--Authorization was given for the general academic institutions of The University of Texas System to develop policies subject to approval by the Executive Vice Chancellor for Academic Affairs to exempt non-degree-seeking or non-certificate-seeking students who are 55 years of age or older on the first class day of any given semester or term from the testing requirements of the Texas Academic Skills Program.

The 74th Texas Legislature, Regular Session, amended Section 51.306, Subsection (q) of the Texas Education Code to allow institutions to exempt non-degree-seeking or non-certificate-seeking persons 55 years of age or older from the Texas Academic Skills Program (TASP) testing requirements that are imposed by that Section as a condition for enrollment in a public institution of higher education. By providing the exemption, a campus can remove a barrier for eligible students who wish to take only one or a few courses and not seek a degree. Proposed policies will be submitted for approval by the Executive Vice Chancellor for Academic Affairs.

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**OFFICE OF THE BOARD OF REGENTS**  
**THE UNIVERSITY OF TEXAS SYSTEM**  
BOX N - AUSTIN, TEXAS 78713-8914 (512) 499-4402

**MEMORANDUM**

March 29, 1996

1177  
1177  
CF

**TO:** Those Who Receive RRR Amendments (List Attached)  
**FROM:** Art Dilly *AD*  
**SUBJECT:** Regents' Rules and Regulations, Part One - Amendments

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page i	Page i
Pages I-7, I-15, I-16, I-17, I-24, and I-25	Pages I-7, I-15, I-16, I-17, I-24, and I-25
Pages II-7 through II-27	Pages II-7 through II-25
Pages III-35 and III-36	Pages III-35 and III-36

The amendments approved at the February 8, 1996 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AD/cf

Enclosures

March 28, 1996

Addresses of State Officials Who Receive Copies  
of the Regents' Rules and Regulations

Governor's Budget and Planning Office  
711 Sam Houston Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Mr. John Keel  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
Two Commodore Plaza  
206 East 9th Street  
Suite 1900  
Austin, Texas 78701  
INTERAGENCY MAIL

Ms. Sally Reynolds  
Director  
Legislative Reference Library  
Room 207-B, Capitol Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

Dr. Kenneth H. Ashworth  
Commissioner, Texas Higher  
Education Coordinating Board  
7745 Chevy Chase Drive, Building 5  
Austin, Texas 78752  
INTERAGENCY MAIL

(NOTE: Send only when there are  
amendments related to (1) academic  
work load or (2) faculty development  
leaves.)

\*\*\*\*\*

Mr. Thomas G. Ricks  
President and Chief Executive Officer  
The University of Texas Investment Management Co.  
CTJ Hall

Mr. W. C. Lancaster  
Chief of Staff  
Office of the Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117

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March 28, 1996

Distribution List for Official Copies of  
Regents' Rules and Regulations

Board of Regents	9
Office of the Board of Regents	3
Legislative Budget Board	1
Governor's Budget and Planning Office	1
Publications Clearing House	1
State Auditor - U. T. Austin Representative	1
Legislative Reference Library	1
System Administration	8
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Business Affairs	
Executive Assistant to the Chancellor	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Vice Chancellor for Development and External Relations	
Chief Administrative Officers of Component Institutions	15
Mr. Thomas G. Ricks	1
President and Chief Executive Officer UTIMCO	
Chief of Staff, Office of the Chancellor, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	42

NOTE: See July 6, 1988 letter from Coordinating Board which requests that only those amendments related to (1) academic work load and (2) faculty development leaves be sent to that office.

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RULES AND REGULATIONS  
OF THE  
BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM  
FOR THE GOVERNMENT OF  
THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through February 8, 1996,  
have been issued with this cover sheet.)

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Sec. 7. Committee Structure.

- 7.1 Standing Committees.--The following committees shall be standing committees of the Board to consider policies for the government of all major areas: (a) Executive Committee; (b) Business Affairs and Audit Committee; (c) Academic Affairs Committee; (d) Health Affairs Committee; (e) Facilities Planning and Construction Committee.
- 7.11 Composition of Standing Committees; Appointment of Chairmen.--
- 7.111 The Executive Committee is composed of the Chairman and Vice-Chairmen of the Board. The Chairman of the Board is the Chairman of the Executive Committee.
- 7.112 Each standing committee, other than the Executive Committee, is composed of not less than three members of the Board appointed by the Chairman.
- 7.113 The Chairman of each standing committee (other than the Executive Committee) shall be appointed by the Chairman of the Board shortly after his or her election, by and with the consent of the Board, and shall remain as Chairman of the standing committee (unless a vacancy shall be caused by death, resignation, or refusal of some member of a committee to act) until the succeeding Board Chairman shall have reconstituted the committees.
- 7.12 Method of Filling Vacancies in the Chairmanship of Standing Committees.--In case a vacancy shall occur in the chairmanship of any of the standing committees, the Chairman of the Board shall appoint another member of the Board to serve as Chairman of the standing committee, by and with the consent of

- 7.17(13) Consider and make recommendations to the Business Affairs and Audit Committee concerning capital improvement requests as related to the approved missions of the health-related institutions.
- 7.18 Duties of the Facilities Planning and Construction Committee.--The Facilities Planning and Construction Committee shall:
- 7.181 Consider matters relating to the acquisition and use of the grounds and buildings of all campus and campus-related real property of The University of Texas System.
- 7.182 Recommend to the Board the award of contracts to consulting and other architects; approve plans and accept bids for construction projects.
- 7.183 Recommend to the Board the award and execution of construction and equipment contracts and approve progress reviews and beneficial occupancy of construction projects.
- 7.184 Consider capital improvement requests and, with the prior approval of the Academic or Health Affairs Committee, make recommendations to the Board.
- 7.185 Make recommendations to the Board with respect to the naming of University buildings, streets, roads, and other facilities including redesignation of existing facilities.

7.2 Board for Lease of University Lands.--Pursuant to Section 66.62, Texas Education Code, two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve with one member of the Board of Regents of The Texas A&M University System selected by the Board of Regents of that System and the Commissioner of the General Land Office on the Board for Lease of University Lands, an agency of the State of Texas. A regent member may not be directly or indirectly employed by, or be an officer of or an attorney for, an oil or gas company. An officer, employee, or paid consultant of a trade association in the oil and gas industry may not be a member of the Board, nor may a person who cohabits with or is the spouse of an officer, managerial employee, or paid consultant of a trade association in the oil and gas

industry be a member of the Board. A person who is required to register as a lobbyist under Chapter 305, Government Code, by virtue of his or her activities for compensation in or on behalf of a profession related to the operation of the Board, may not serve as a member of the Board or act as the general counsel to the Board. With the knowledge and direction of the Chancellor, the Board for Lease shall receive the assistance and cooperation of the Offices of Business Affairs and General Counsel.

- 7.3 Special Committees.--The Chairman of the Board shall appoint such special committees of the Board as the Board may authorize.

Sec. 8. Procedure.

- 8.1 Rules of Order.--Robert's Rules of Order, when not in conflict with any of the provisions of this Chapter, shall be the rules of parliamentary procedure when the Board or any of its committees is in session.
- 8.2 Order of Business.--Customarily, the order of business at a regular meeting of the Board shall be as follows:
- 8.21 Correction and approval of Minutes of preceding meeting.
  - 8.22 Consideration of items referred directly to the Board.
  - 8.23 Consideration of approval of items contained in reports of standing committees.
    - (a) Executive Committee
    - (b) Business Affairs and Audit Committee
    - (c) Academic Affairs Committee
    - (d) Health Affairs Committee
    - (e) Facilities Planning and Construction Committee

Sec. 9. Signature Authority for Documents Executed on Behalf of the Board.

9.1 In addition to the authorizations otherwise provided in these Rules and Regulations or in the resolution or order of the Board with respect to the approval of a specific document or with respect to the approval of a program or project requiring the execution of one or more documents, the Chairman of the Board, the Designated Vice-Chairman of the Board, the Chancellor or his or her designee, or the appropriate Executive Vice Chancellor may sign on behalf of the Board:

- 9.11 all contracts, agreements, leases, conveyances, deeds, easements, rights-of-way, bonds, licenses, or permits and all amendments, extensions or renewals of same that have been approved, authorized or granted by the Board as an item on the Agenda of the Board at a regular or special meeting;
- 9.12 applications for permits or licenses to be issued to the Board or a component institution that have been approved or authorized by the Board;

9.13 renewals of permits or licenses issued to the Board or a component institution that are renewable without change in the terms or conditions thereof where the original application for such permit or license was made pursuant to the approval or authorization of the Board and such approval or authorization has not been withdrawn.

9.2 The provisions of this Section shall not apply to documents submitted for the review and approval of the Board pursuant to the provisions of Subsection 8.54 of Section 8, Chapter I, Part One of these Rules and Regulations.

9.3 All documents executed on behalf of the Board pursuant to this Section other than renewals of permits or licenses executed pursuant to Section 9.13, shall have affixed thereto a certification by the Executive Secretary to the Board attesting to the action of the Board approving such document and setting forth the date of such approval.

Sec. 10. Ethics Policy.

Each member of the Board of Regents shall perform his or her activities on behalf of The University of Texas System in conformity with the Ethics Policy as set out in Part One, Chapter III, Section 4 of the Regents' Rules and Regulations and other state laws related to standards of conduct and conflict of interest.

- 6.25 Submitting recommendations for program development for training of personnel in nonacademic areas.
- 6.26 Reviewing and making recommendations on programs of long-range planning for physical facilities and financial resources.
- 6.27 Reviewing and making recommendations relating to police and security matters within the System.
- 6.28 Coordinating the business affairs of the System with other officers and members of the System Administration staff.
- 6.29 In consultation with the appropriate Executive Vice Chancellor, coordinating the activities of business administrative operations of the component institutions.
- 6.2(10) Managing the operations of the offices listed below through such internal administrative organization as he/she deems to be appropriate:
  - Office of the Associate Vice Chancellor for Business Affairs
    - Office of Historically Underutilized Business Development
    - Office of the Director of Police
  - Office of the Assistant Vice Chancellor and Controller
    - Budget Office
    - Office of Management Information Systems
    - Office of Information Services
    - Office of Business and Administrative Services
  - Director of Accounting regarding System Administration accounts

Office of the Assistant Vice  
Chancellor for Finance  
Office of Facilities Plan-  
ning and Construction  
Office of Finance  
Real Estate Office regarding  
gift and campus real estate  
Office of Human Resources  
Office of Employee Group  
Insurance Program  
Office of West Texas Lands  
Management  
University Lands  
Accounting Office  
Surface Interests  
Oil, Gas & Mineral  
Interests.

- 6.2(11) Supervising and coordinating the acquisition, disposition, and/or management of all gift and campus lands at the component institutions and the U. T. System, except for Permanent University Fund Lands, with a view toward maximizing the income to be realized from the operation and/or sale of these properties. In discharging this responsibility, the Executive Vice Chancellor for Business Affairs shall work closely with the appropriate Executive Vice Chancellor, the chief administrative officer of a component institution of the System and their delegates with regard to the management of trust lands and other non-campus real estate held by the Board of Regents for and on behalf of a particular institution. He/She shall also establish procedures that assure effective coordination with the Director of Estates and Trusts with regard to the management of trust lands other than Permanent University Fund Lands.
- 6.2(12) Directing the management of the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the System Administration and coordinating the building services for the System buildings.

- 6.2(13) Directing the management of the System-wide insurance programs (except the System Plan for Professional Medical Liability Self-Insurance), including approval of all policies and coverages, such programs to include:  
Fire and Extended Coverage;  
Liability;  
Health;  
Life;  
Accidental Death and  
Dismemberment;  
Income Replacement; and  
Retirement.
- 6.2(14) Implementing policy for the receipt, disbursement, and custody of non-investment funds and for terms of depository agreements with banks.
- 6.2(15) Forwarding debt issues for approval by the Board of Regents.
- 6.2(16) Implementing and monitoring appropriate internal controls in all internal administrative operations listed in 6.2(10).
- 6.2(17) Performing such other duties as may be assigned by the Chancellor.

Sec. 7. Vice Chancellor and General Counsel.

The Vice Chancellor and General Counsel reports to the Chancellor. The Vice Chancellor and General Counsel is responsible for the provision of legal services to the Board of Regents of The University of Texas System as set out in Section 7.2 of this Chapter. The Vice Chancellor and General Counsel provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Vice Chancellor and General Counsel has direct access to the Board of Regents of The University of Texas System and is expected to work directly with the appropriate committees of the Board in discharging the duties of the office.

7.1 Appointment and Tenure.

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

7.2 Duties and Responsibilities.

The primary responsibilities of the Vice Chancellor and General Counsel include:

- 7.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.

Feb. 8, 1996

- 7.22 Providing all legal services required by the Board of Regents of The University of Texas System and its personnel to insure the proper protection and advancement of the System's interests.
- 7.23 Maintaining the supervision, and delivery of legal services at a high level of effectiveness.
- 7.24 Directing and managing all legal personnel and legal affairs of the System, its units and its component institutions.
- 7.25 Providing advice, counsel and legal interpretations to System officials and personnel concerning legal matters affecting System operations.
- 7.26 Directing the Office of Vice Chancellor and General Counsel personnel with respect to work priorities and assignments, standards of performance, and career development, delegating to staff members responsibility for particular legal and administrative tasks; and coordinating and controlling budget and personnel levels.
- 7.27 Directing and managing (within applicable limits of authority) all litigation and administrative agency hearings; authorizing and approving the institution of legal proceedings; evaluating, directing and approving action and procedures relative to prosecution or defense of pending litigation and administrative proceedings; employing outside counsel; and authorizing and approving settlement or appeal of litigation.
- 7.28 Advising, counseling, and disseminating information to affected System units relative to the nature, evaluation, progress, and results of litigation, administrative proceedings, and other legal

- matters, and making recommendations to System officials and other personnel as to future operations and objectives.
- 7.29 Approving as to form all contracts and agreements and all amendments to the Regents' Rules and Regulations; and approving as to form all institutional Handbooks of Operating Procedures, whether finally approved or not, and all amendments to such Handbooks.
- 7.2(10) Drafting all legislation that has been approved by the Board or requested by any System officer for submission to the Board for approval and providing legal counsel on pending legislation.
- 7.2(11) Identifying and evaluating administrative and functional problems and directing or recommending, as appropriate, courses of action for solution.
- 7.2(12) Representing the System before legal, educational and governmental groups and associations.
- 7.2(13) Acting as administrator of the System Plan for Professional Medical Liability Self-Insurance and the System Intellectual Property Offices.
- 7.2(14) Working in cooperation with the Attorney General of the State of Texas, state agency legal counsel and outside counsel.
- 7.2(15) Assuming responsibility for any other legal, administrative or operational matters delegated by the Chancellor.

Sec. 8. Vice Chancellor for Governmental Relations.

The Vice Chancellor for Governmental Relations reports to the Chancellor. The Vice Chancellor for Governmental Relations is responsible for coordinating the effective representation of the System in the area of governmental affairs as set out in Section 8.2 of this Chapter. The Vice Chancellor for Governmental Relations provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of

their responsibilities. The Vice Chancellor for Governmental Relations has direct access to the Board of Regents of The University of Texas System and is expected to work directly with appropriate committees of the Board in discharging the duties of the office.

8.1 Appointment and Tenure.

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

8.2 Duties and Responsibilities.

The primary responsibilities of the office include:

- 8.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 8.22 Representing the Board of Regents of The University of Texas System in its relations with federal, state, and local legislative bodies and agencies.
- 8.23 Making recommendations to the Chancellor in the area of public policy as it affects the relationship of the System with the federal, state, and local governments.
- 8.24 Informing appropriate administrative officers of current operations and long-range developments on the federal and state level, which may affect the System.
- 8.25 Maintaining and distributing information to, and advising appropriate System Administration and component institution officials, in order to assure proper action by the System with respect to federal, state, and local governmental programs and activities.

- 8.26 Defining the job responsibilities, the assignment of duties, and supervising staff members employed in or assigned to work in the governmental affairs area.
- 8.27 Performing such other duties and responsibilities for the efficient operation of the System as shall be assigned by the Chancellor.

Sec. 9. Vice Chancellor for Development and External Relations.

The Vice Chancellor for Development and External Relations reports to the Chancellor and is responsible for the programs of the System related to private sector support, alumni relations, public information, and external constituencies as set out in Subsection 9.2 of this Chapter. The Vice Chancellor for Development and External Relations provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Vice Chancellor for Development and External Relations has direct access to the Board of Regents of The University of Texas System and is expected to work directly with appropriate committees of the Board in discharging the duties of the office.

9.1 Appointment and Tenure.

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

9.2 Duties and Responsibilities.

The primary responsibilities of the Vice Chancellor for Development and External Relations include:

- 9.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 9.22 The development, organization, and administration of activities to obtain private sector funding for programs of the System.
- 9.23 The formal acceptance, following review and approval by the appropriate Executive Vice Chancellor, and the processing and administration (excluding investment management) of gifts as assigned which conform to all relevant laws and Board policies.

- 9.24 Recommending policies relating to acceptance, processing, and administration (excluding investment management) of gifts for all of the U. T. System's component institutions.
- 9.25 Making recommendations with respect to the acceptance of all proposed gifts and approval of all other actions related to the processing and administration of gifts managed by the Office of Development and External Relations, the terms of which do not conform to all relevant laws and Board policies.
- 9.26 Reporting to the Board on gifts processed and administered by the Office of Development and External Relations.
- 9.27 The organization and administration of programs for providing information to the public relating to the System and coordinating those programs with the public information programs of the component institutions.
- 9.28 Directing the administration of the System Office of Special Services.
- 9.29 Directing the administration of the System Office of Estates and Trusts.
- 9.2(10) To assist in the development, organization, and administration of programs and activities related to alumni of System component institutions in coordination with appropriate personnel of the component institutions.
- 9.2(11) Coordinating the policies and activities of the System and the component institutions related to internal and external foundations that provide support for the System and the component institutions.
- 9.2(12) The performance of such other duties and responsibilities as may be assigned by the Chancellor.

Sec. 10. Other Code 1000 Staff and Officers of System Administration.

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

Sec. 11. Councils of the System.

11.1 The System Council.

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

11.2 The Council of Academic Institutions.

The Council of Academic Institutions is composed of the Executive Vice Chancellor for Academic Affairs and the chief administrative officers of the general academic institutions of the System. The Chancellor, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Vice Chancellor for Development and External Relations, and the Executive Assistant to the Chancellor serve as ex officio members of this Council. The Executive Vice Chancellor for Academic Affairs shall serve as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented.

11.3 The Council of Health Institutions.

The Council of Health Institutions is composed of the Executive Vice Chancellor for Health Affairs and the chief administrative officers of the component institutions of the System concerned directly with health

affairs. The Chancellor, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Vice Chancellor for Development and External Relations, and the Executive Assistant to the Chancellor serve as ex officio members of this Council. The Executive Vice Chancellor for Health Affairs acts as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented.

11.4 The Business Management Council.

The Business Management Council advises the System Administration in the areas of component budgeting, business management, data processing, physical plant operations, planning, construction, and accounting systems development. The Council is composed of the Executive Vice Chancellor for Business Affairs and the chief business officers of the component institutions. The Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Vice Chancellor for Development and External Relations, and the Executive Assistant to the Chancellor, or their delegates, serve as ex officio members of this Council. The Executive Vice Chancellor for Business Affairs shall serve as the Council's permanent chairman and shall conduct regular meetings of the Council.

Sec. 12. Chief Administrative Officers of Component Institutions.

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

12.11 When there is a vacancy or it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution having faculty and students and the Board does not have candidate(s) from

recent searches at other component institutions, from within the U. T. System, and/or of national prominence from outside the U. T. System to advance for consideration, an Advisory Committee shall be established to recommend candidates to the Board. The Executive Vice Chancellor having responsibility for the operation of the institution where the vacancy has occurred or is to occur shall be chairman of the Advisory Committee. In circumstances where this Executive Vice Chancellor may be a candidate for the office, the chairman of the Advisory Committee shall be the Chancellor or the Chancellor's designee. In addition to the chairman, committee membership is as follows:

- The Chancellor;
- Two Chief Administrative Officers;
  - (to be appointed by the Chairman of the Board from two of the component institutions)
- Two Regents;
  - (to be appointed by the Chairman of the Board)
- Three Faculty members of the institution involved, at least two of whom shall have the rank of associate professor or higher; (method of selection to be determined by the General Faculty of the campus)
- One Dean;
  - (for academic institutions to be selected by Dean's Council of the institution involved)
  - (for health-related institutions to be the

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Dean of the Medical School involved or in the absence of that position a senior representative of the teaching program of the component selected by the chief administrative officer)

Two Students from the institution involved; (method of selection to be determined by the Student Government of the campus involved or, if there be no Student Government, by the chief administrative officer of the institution; if the component does not have students, this category of representation shall be omitted)

President of the Ex-Students' Association of the campus involved; (if institution does not have an active alumni organization, then an alumnus of the component selected by the Chairman of the Board of Regents; if the component does not have degree granting authority, this category shall be omitted)

Two non-faculty employees of the institution involved, one in a classified position and one in an administrative position; (to be selected by the chief administrative officer or

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in accordance with institutional procedures approved by the chief administrative officer) Not more than two representatives of the component's external constituency who have demonstrated a deep interest in and support of the institution, its programs and its role in community activities to be appointed by the Chairman of the Board of Regents. Where a component institution has a statewide mission; special area programmatic relationships or partnerships with junior or community colleges, private universities or public schools, business/corporate entities, community or public service agencies; or other unique constituencies, the Chairman of the Board of Regents may appoint an additional representative.

Campus constituent groups with responsibility for selection of Advisory Committee representatives are expected to consider diversity, particularly as it relates to minority and female representation. Unless there are unusual delays in faculty, staff or student representative selection which postpone initiation of the committee process, the Chairman of

the Board will make his or her appointments to the Advisory Committee after campus selections in order to maximize the prospect that the total committee composition reflects diversity.

- 12.12 The Advisory Committee shall set up selection criteria that relate to the needs of the individual component, initiate mechanisms to develop an appropriate candidate pool, seek information on the several candidates and inquire from competent sources as to the candidates' academic, administrative and business ability. The Committee may also interview candidates as a part of its selection process keeping in mind that the confidentiality of the process is important to its ultimate success.
- 12.13 Finally, the Advisory Committee shall submit, through its Chairman, a recommended list of not less than five or more than ten candidates with no preference indicated. Candidates submitted shall have received a majority vote of the Committee. The recommended list should be developed and submitted without regard to the Advisory Committee's assessment of the potential availability of any candidate. If none of the names submitted in the report of the Advisory Committee is satisfactory to the Board, then the Board in its discretion may either name a new committee or proceed to select a chief administrative officer under such other procedures as in its discretion it may deem proper and appropriate.
- 12.14 When the Board has candidate(s) from recent searches at other component institutions, from within the U. T. System, and/or of national prominence from outside the U. T. System to advance for consideration, the Chairman of the Board of Regents shall appoint a Special Committee to provide the Board of Regents with advice and evaluation

consistent with that usually provided by an Advisory Committee. The Special Committee shall be composed as specified above for the Advisory Committee but will not include members of the Board of Regents. The advice of the Special Committee shall be provided to the Board through the appropriate Executive Vice Chancellor and the Chancellor. The Special Committee shall not extend its consideration beyond those nominees referred to it by the U. T. Board of Regents without specific concurrence from the Board.

- 12.2 Each chief administrative officer reports to and is responsible to the Executive Vice Chancellor having responsibility for the institution, and serves without fixed term, subject to the pleasure of the appropriate Executive Vice Chancellor and approval by the Chancellor and the Board. The chief administrative officer has access to the Chancellor and is expected to consult with the appropriate Executive Vice Chancellor and the Chancellor on significant issues on an as needed basis.
- 12.3 Within the policies and regulations of the Board, and under the supervision and direction of the Executive Vice Chancellor having responsibility for the institution, the chief administrative officer has general authority and responsibility for the administration of that institution.
- 12.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:
- 12.311 Develop and administer plans and policies for the program, organization, and operation of the institution.
- 12.312 Interpret the System policy to the staff, and interpret the institution's programs and needs to the System Administration and to the public.

- 12.313 Develop and administer policies relating to students, and where applicable, to the proper management of services to patients.
- 12.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
- 12.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.
- 12.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.
- 12.317 Serve as presiding officer at official meetings of faculty and staff of the institution, and as ex officio member of each college or school faculty (if any) within the institution.
- 12.318 Appoint, or establish procedures for the appointment of, all faculty, staff, and student committees.
- 12.319 Cause to be prepared and submitted to the appropriate Executive Vice Chancellor the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the Chancellor or appropriate Executive Vice Chancellor, they shall thereafter constitute the Handbook of Operating Procedures for that institution. Provided, however, that whether or not finally approved by the Chancellor, any rule or regulation in any such institutional Handbook of Operating Procedures that is in conflict with

any rule or regulation in the Regents' Rules and Regulations, is null and void and has no effect, and whenever any such conflict is detected, the Chancellor and the chief administrative officer of the component institution shall immediately make such amendments to the institutional Handbook of Operating Procedures as may be necessary to eliminate such conflict.

- 12.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 12.31(11) Assume active leadership in developing private fund support for the institution in accordance with policies and procedures established in the Regents' Rules and Regulations.
- 12.31(12) Develop and implement plans and policies to ensure that the institution remains in compliance with any accreditation requirements appropriate to the component or its programs, including, for the health components and those academic components with student health services, the accreditation of hospitals, clinics and patient-care facilities.

Sec. 13. Appointment of Other Officers and Staff.

- 13.1 The Board delegates to the Chancellor and the Executive Vice Chancellor having responsibility for the institution and they, in turn, delegate to the chief administrative officer of each component institution the responsibility for the appointment and dismissal of all other administrative officers of each component institution, including vice presidents, deans, directors and their equivalents. However, prior approval of the appropriate Executive Vice Chancellor shall be necessary for each such permanent or acting appointment and for each such dismissal whether from a permanent or acting appointment. All such other administrative officers serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution and the aforesaid approval of the Executive Vice Chancellor.

- 13.2 The Board delegates to the Chancellor and the Executive Vice Chancellor having responsibility for the institution and they, in turn, delegate to the chief administrative officer of each component institution the responsibility for the permanent or acting appointment of department chairmen, department heads, and their equivalents. Such department chairmen, department heads and their equivalents serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution.
- 13.3 The Board endorses the principle of reasonable faculty and student consultation in the selection of administrative officers of the component institutions, and the primary operating units, and expects the chief administrative officer, as he or she deems appropriate, to consult in the selection process with the representatives of the faculty and student body. However, the chief administrative officer of the component institution is responsible for executing the duties of the office and consequently shall not be bound by nominations to administrative positions by campus selection committees, and the Handbook of Operating Procedures of each component institution shall so state.
- 13.4 Honorary Titles.  
The titles Chancellor Emeritus, President Emeritus and similar honorary designations shall be conferred only by appropriate action of the Board on individuals who are fully retired. No person is authorized to use any such title unless it has been bestowed by the Board.

- 15.2 An employee who resigns, is dismissed, or separates from university employment shall be entitled to be paid in "lump sum" for all vacation leave entitlement duly accrued at the date of termination provided the employee has had continuous employment with the state for six months. The payment shall be calculated at the rate of compensation being paid the employee at the time of termination.
- 15.3 In the case of death of an employee who has accumulated vacation leave, his or her estate will be paid for all accumulated vacation leave. The payment shall be calculated at a rate of compensation being paid the employee at the time of his or her death.

Sec. 16. Leaves of Absence Without Pay.

- 16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff, subject to the general conditions included herein. Leaves of absence for a first year or portion thereof or a second consecutive year's leave may be granted by the chief administrative officer. Leaves of absence for a third consecutive year will be granted only for the reasons outlined in this Subsection, Subsection 16.3, and Subsection 16.4, following review and approval by the appropriate Executive Vice Chancellor.
- 16.2 The maximum period for which a leave of absence will be granted is the end of the fiscal year in which the leave begins. In the case of faculty, the date for return to duty will generally coincide with the beginning of the next semester, following the period of absence.
- 16.3 Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity that reflects credit on the institution and enhances an individual's ability to make subsequent contributions to the institution, a second consecutive year of leave will not be granted.

- 16.4 Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted.
- 16.5 After a return to duty of one year, the leave-of-absence privilege will again be available, subject to the conditions above.
- 16.6 Unless otherwise provided by or authorized pursuant to law, all accumulated paid leave entitlement must be exhausted before a leave of absence without pay may be granted, with the additional provision that sick leave must be exhausted in those cases where the employee is eligible to take sick leave.
- 16.7 Upon expiration of Family and Medical Leave pursuant to these Rules and Regulations, an employee may be eligible for a leave of absence under this section. For leave of absence to participate in a political campaign, faculty development leave, parental leave, sick leave, leave for jury duty, leave for military duty, and leave related to on-the-job injuries, see other sections of these Rules and Regulations.
- Sec. 17. Faculty Development Leaves.--Faculty development leaves for faculty members may be granted as set out in Texas Education Code, Section 51.101 et seq. The law provides that after two consecutive academic years at the same institution faculty members as defined in this Act may be considered for a faculty development leave for one academic year at one-half his or her regular salary or for one-half academic year at his or her full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.
- Sec. 18. Parental Leave.--Parental leave for all employees shall be as provided by state law.
- Sec. 19. Division of Salaries for Staff Engaged in Teaching and Non-teaching Activities.--Each component institution shall develop policies covering budgetary division of salaries for individuals whose employment is divided between teaching and nonteaching assignments subject to current statutory requirements or limitations. These policies shall be set forth in the institutional Handbooks of Operating Procedures.

2/8/96 m.o.

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 16 - 22).--In the absence of Committee Chairman Lebermann who was excused because of a death in his family, Regent Temple reported that the Academic Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 16 (Leaves of Absence Without Pay).--Upon recommendation of the Academic Affairs and Health Affairs Committees, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 16 regarding leaves of absence without pay to read as set forth below:

Sec. 16. Leaves of Absence Without Pay.

- 16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff, subject to the general conditions included herein. Leaves of absence for a first year or portion thereof or a second consecutive year's leave may be granted by the chief administrative officer. Leaves of absence for a third consecutive year will be granted only for the reasons outlined in this Subsection, Subsection 16.3, and Subsection 16.4, following review and approval by the appropriate Executive Vice Chancellor.
- 16.2 The maximum period for which a leave of absence will be granted is the end of the fiscal year in which the leave begins. In the case of faculty, the date for return to duty will generally coincide with the beginning of the next semester, following the period of absence.
- 16.3 Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity that reflects credit on the institution and enhances an individual's ability to make subsequent contributions to the institution, a second consecutive year of leave will not be granted.
- 16.4 Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted.
- 16.5 After a return to duty of one year, the leave-of-absence privilege will again be available, subject to the conditions above.

These amendments simplify the process for approval of faculty or staff leaves of absence without pay by removing the requirement for separate U. T. Board of Regents' approval for leaves involving a second or third consecutive year's leave. The leaves will be approved instead by the chief administrative officer with only the third consecutive year's leave requiring review and approval by the appropriate Executive Vice Chancellor. Approved leaves will be documented in the annual operating budgets.

2. U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part One, Chapter VI, Section 6 (Use of University-Owned Facilities) and Part Two, Chapter X, Section 9 (Student Union Facilities) (Deferred). -- The item related to proposed amendments to the Regents' Rules and Regulations, Part One, Chapter VI, Section 6 regarding use of university-owned facilities and Part Two, Chapter X, Section 9 regarding student union facilities was deferred.
3. U. T. System: Authorization to Amend the Requirement that International Students Maintain Approved Comprehensive Health Insurance or Coverage Effective with the Fall Semester 1996 (Catalog Changes). -- At its February 1994 meeting, the U. T. Board of Regents enacted a uniform requirement of comprehensive health insurance or coverage for certain international students enrolled within The University of Texas System. Following further review and experience with the requirement, the Academic Affairs and Health Affairs Committees recommended that the Board amend its February 1994 requirement to exclude certain citizens of a bordering nation (Mexico) if they attend a component institution of the U. T. System located in a county which borders on Mexico (The University of Texas at Brownsville, The University of Texas at El Paso, and The University of Texas - Pan American).

In compliance therewith, the Board amended the policy mandating proof of comprehensive student health insurance or coverage for international students enrolled at U. T. System component institutions as follows:

- a. Required international students holding nonimmigrant visas and living in the United States to maintain approved comprehensive health insurance or coverage while enrolled at U. T. System component institutions, except as provided in item d. below
- b. Authorized each component institution to assess each such international student a health insurance fee (as an incidental fee authorized by Texas Education Code Section 54.504) in the amount of the premium approved for the U. T. System Student Health Insurance Plan for the actual cost of the insurance provided where there is no evidence of continuing coverage under the U. T. System Employee Health Plan or a comparable mandatory employee plan, continuing mandatory coverage through a government sponsored health plan (which

IV. OTHER MATTERS

*Minutes  
7/8/94*

U. T. Board of Regents: Adoption of Resolution Approving Investment Management Services Agreement with The University of Texas Investment Management Company (UTIMCO), Approval of Certain Terms Precedent to the Execution of the Agreement, Approval of Related Amendments to the Regents' Rules and Regulations, Parts One and Two, and Authorization for the Chairman of the Board of Regents and the Chancellor to Carry Out the Transactions Contemplated by the Resolution.--The Board, upon recommendation of the Asset Management Committee, adopted the following resolution:

BE IT RESOLVED, That the Board is authorized and empowered to enter into an Investment Management Services Agreement (the "Agreement") with The University of Texas Investment Management Company ("UTIMCO") substantially in the form attached hereto as Attachment A with supporting Exhibits A - K and the Chairman of the Board is hereby authorized and directed, for and on behalf of the Board, to sign the Agreement, with such negotiated revisions, amendments and modifications as he determines to be in the best interests of the Board, such determination to be conclusively evidenced by his execution of the Agreement, and the Executive Secretary to the Board is hereby authorized and directed, for and on behalf of the Board, to attest and seal the Agreement;

FURTHER RESOLVED, That the Board hereby expressly approves the UTIMCO investment policies with related revisions to current Board policies as attached to the Agreement as Exhibits A through E;

FURTHER RESOLVED, That the Board hereby approves the articles of incorporation and bylaws of UTIMCO attached to the Agreement as Exhibits H and I, respectively;

FURTHER RESOLVED, That the Board hereby approves the UTIMCO Code of Ethics attached to the Agreement as Exhibit K; (See Exhibit J: members of the Audit and Ethics Committee will be approved by the Board at a later date);

FURTHER RESOLVED, That the Board hereby accepts the opinion of Ernst & Young concerning the fair representation, in all material respects, of the Summary of Investments and Total Income of the Permanent University Fund, attached hereto as Attachment B, and hereby finds and determines that said opinion satisfies the requirements of Section 4 of H.B. 1877 requiring a financial audit prior to implementation of the first investment management services agreement with UTIMCO;

*Therese  
2/8/96*

**Amendments to the Regents' Rules and Regulations**

- a. **Amended Part One, Chapter I, Section 7, Subsection 7.1 (Standing Committees) as set forth below:**

*2/12*  
7.1 Standing Committees.--The following committees shall be standing committees of the Board to consider policies for the government of all major areas: (a) Executive Committee; (b) Business Affairs and Audit Committee; (c) Academic Affairs Committee; (d) Health Affairs Committee; (e) Facilities Planning and Construction Committee.

- 2/13*  
b. **Deleted Part One, Chapter I, Section 7, Subsection 7.19 (Duties of the Asset Management Committee) in its entirety.**

- c. **Amended Part One, Chapter I, Section 8, Subsection 8.23 (Order of Business) as set forth below:**

*2/13*  
8.23 Consideration of approval of items contained in reports of standing committees.  
(a) Executive Committee  
(b) Business Affairs and Audit Committee  
(c) Academic Affairs Committee  
(d) Health Affairs Committee  
(e) Facilities Planning and Construction Committee

- 2/13*  
d. **Deleted Part One, Chapter I, Section 9 (Executive Associate for Economic Affairs) in its entirety and renumbered the remaining sections accordingly.**

- 2/13*  
e. **Amended Part One, Chapter II, Section 6 (Executive Vice Chancellor for Business Affairs), Subsections 6.2(10), 6.2(11), 6.2(14) and 6.2(15) (Duties and Responsibilities) as set forth below:**

*2/13*  
6.2(10) Managing the operations of the offices listed below through such internal administrative organization as he/she deems to be appropriate:  
Office of the Associate Vice Chancellor for Business Affairs  
Office of Historically Underutilized Business Development  
Office of the Director of Police  
Office of the Assistant Vice Chancellor and Controller  
Budget Office  
Office of Management Information Systems  
Office of Information Services

Office of Business and  
 Administrative Services  
 Director of Accounting  
 regarding System  
 Administration accounts  
 Office of the Assistant Vice  
 Chancellor for Finance  
 Office of Facilities Plan-  
 ning and Construction  
 Office of Finance  
 Real Estate Office regarding  
 gift and campus real estate  
 Office of Human Resources  
 Office of Employee Group  
 Insurance Program  
 Office of West Texas Lands  
 Management  
 University Lands  
 Accounting Office  
 Surface Interests  
 Oil, Gas & Mineral  
 Interests.

- ✓ 6.2(11) Supervising and coordinating the acquisition, disposition, and/or management of all gift and campus lands at the component institutions and the U. T. System, except for Permanent University Fund Lands, with a view toward maximizing the income to be realized from the operation and/or sale of these properties. In discharging this responsibility, the Executive Vice Chancellor for Business Affairs shall work closely with the appropriate Executive Vice Chancellor, the chief administrative officer of a component institution of the System and their delegates with regard to the management of trust lands and other non-campus real estate held by the Board of Regents for and on behalf of a particular institution. He/She shall also establish procedures that assure effective coordination with the Director of Estates and Trusts with regard to the management of trust lands other than Permanent University Fund Lands.
- ✓ 6.2(14) Implementing policy for the receipt, disbursement, and custody of non-investment funds and for terms of depository agreements with banks.
- ✓ 6.2(15) Forwarding debt issues for approval by the Board of Regents.
- f. Deleted Part One, Chapter II, Section 7 (Vice Chancellor for Asset Management) in its entirety and renumbered the remaining sections accordingly.

*Due 1/12*

1. U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part One, Chapter III, Section 16 (Leaves of Absence Without Pay).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs and the Executive Vice Chancellor for Health Affairs that the Regents' Rules and Regulations, Part One, Chapter III, Section 16 be amended as set forth below in congressional style:

Sec. 16. Leaves of Absence Without Pay.

16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff, subject to the general conditions included herein. Leaves of absence for a first year or portion thereof or a second consecutive year's leave may be granted by the chief administrative officer. Leaves of absence for a third consecutive year will be granted only for the reasons outlined in this Subsection, Subsection 16.3, and Subsection 16.4, following review and approval by the appropriate Executive Vice Chancellor.

16.2 The maximum period for which a leave of absence will be granted is the end of the fiscal year in which the leave begins. In the case of faculty, the date for return to duty will generally coincide with the beginning of the next semester, following the period of absence. [~~In-normal-circumstances, leaves for up to one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements. The first period of leave of absence may be approved, subject to the general conditions included herein, by the chief administrative officer. Requests for second and/or third year leaves under this section must be submitted to the appropriate Executive Vice Chancellor and to the U-T Board of Regents for approval via the docket.~~]

16.3 Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity that reflects credit on the institution and enhances an individual's ability to make subsequent contributions to the institution, a second consecutive year of leave will not be granted.

- 16.4 Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted.
- 16.5 After a return to duty of one year, the leave-of-absence privilege will again be available, subject to the conditions above.

. . . .

This item requires the concurrence of the Health Affairs Committee.

#### BACKGROUND INFORMATION

The proposed amendment to the approval procedures for leaves of absence without pay removes the requirement of separate U. T. Board of Regents' approval for leaves involving a second or third consecutive year's leave. The leaves will be approved instead by the chief administrative officer, with only the third consecutive year's leave requiring review and approval by the appropriate Executive Vice Chancellor. Approval will be documented in the annual operating budgets, with revised budget instructions issued to cover this item.

In addition, redundant language is removed from Subsection 16.2 and a clarification on eligibility for leave availability is added to Subsection 16.5.

2. U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part One, Chapter VI, Section 6 (Use of University-Owned Facilities) and Part Two, Chapter X, Section 9 (Student Union Facilities).--

#### RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the Executive Vice Chancellor for Health Affairs that the Regents' Rules and Regulations, Part One, Chapter VI, Section 6 regarding use of university-owned facilities be amended as set forth below in congressional style:

Sec. 6. Use of Property, Buildings, or [University-Owned] Facilities.

- 6.1 The [~~campuses-of-the-component-institutions-of The-University-of-Texas-System-and-the~~] property, buildings, and [or] facilities owned or controlled by the U. T. System or component institutions are not open for assembly, [and ~~expression-of-free~~] speech, or other activities as are the public streets, sidewalks, and parks. The responsibility of the Board of Regents to operate and maintain an effective

industry be a member of the Board. A person who is required to register as a lobbyist under Chapter 305, Government Code, by virtue of his or her activities for compensation in or on behalf of a profession related to the operation of the Board, may not serve as a member of the Board or act as the general counsel to the Board. With the knowledge and direction of the Chancellor, the Board for Lease shall receive the assistance and cooperation of the ~~offices of Asset Management, Business Affairs, and General Counsel.~~ ✓

*Deleted up in 2/8/86 amendment*

*Delete you*

7.3 *np* Special Committees.--The Chairman of the Board shall appoint such special committees of the Board as the Board may authorize. *3/27/86*

Sec. 8. Procedure.

*ofc*

8.1 Rules of Order.--Robert's Rules of Order, when not in conflict with any of the provisions of this Chapter, shall be the rules of parliamentary procedure when the Board or any of its committees is in session.

8.2 Order of Business.--Customarily, the order of business at a regular meeting of the Board shall be as follows:

- 8.21 Correction and approval of Minutes of preceding meeting.
- 8.22 Consideration of items referred directly to the Board.
- 8.23 Consideration of approval of items contained in reports of standing committees.
  - (a) Executive Committee
  - (b) Business Affairs and Audit Committee
  - (c) Academic Affairs Committee
  - (d) Health Affairs Committee
  - (e) Facilities Planning and Construction Committee

Sec. 12. Councils of the System.

12.1 The System Council.

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

*Editorial delete amendments  
ms ee  
3/29/96*

12.2 The Council of Academic Institutions.

The Council of Academic Institutions is composed of the Executive Vice Chancellor for Academic Affairs and the chief administrative officers of the general academic institutions of the System. The Chancellor, the Executive Vice Chancellor for Business Affairs, ~~the Vice Chancellor for Asset Management~~, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Vice Chancellor for Development and External Relations, and the Executive Assistant to the Chancellor serve as ex officio members of this Council. The Executive Vice Chancellor for Academic Affairs shall serve as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented.

*delete*

12.3 The Council of Health Institutions.

The Council of Health Institutions is composed of the Executive Vice Chancellor for Health Affairs and the chief administrative officers of the component institutions of the System concerned directly with health

*Editorial  
amendments  
made  
3/28/96  
12.4*

affairs. The Chancellor, the Executive Vice Chancellor for Business Affairs, ~~the Vice Chancellor for Asset Management~~, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Vice Chancellor for Development and External Relations, and the Executive Assistant to the Chancellor serve as ex officio members of this Council. The Executive Vice Chancellor for Health Affairs acts as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented.

The Business Management Council.

The Business Management Council advises the System Administration in the areas of component budgeting, business management, data processing, physical plant operations, planning, construction, and accounting systems development. The Council is composed of the Executive Vice Chancellor for Business Affairs and the chief business officers of the component institutions. The Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, ~~the Vice Chancellor for Asset Management~~, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Vice Chancellor for Development and External Relations, and the Executive Assistant to the Chancellor, or their delegates, serve as ex officio members of this Council. The Executive Vice Chancellor for Business Affairs shall serve as the Council's permanent chairman and shall conduct regular meetings of the Council.

*delete*

Sec. 13. Chief Administrative Officers of Component Institutions.

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

13.11 When there is a vacancy or it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution having faculty and students and the Board does not have candidate(s) from

1000 / 1000

**OFFICE OF THE BOARD OF REGENTS**  
**THE UNIVERSITY OF TEXAS SYSTEM**  
BOX N - AUSTIN, TEXAS 78713-8914 (512) 499-4402

**MEMORANDUM**

December 20, 1995

**TO:** Those Who Receive RRR Amendments (List Attached) 11/20/95  
11/21/95  
11/22/95

**FROM:** Art Dilly *AD*

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page iii	Page iii
Pages I-15 and I-16	Pages I-15 and I-16
Pages II-10, II-16, and II-17	Pages II-10, II-16, and II-17
Page VI-13	Page VI-13
Pages VII-13, VII-13a, VII-14, and VII-15	Pages VII-13, VII-14, and VII-15
Pages VIII-6 and VIII-7	Pages VIII-6, VIII-7, and VIII-7a

The amendments approved at the November 9, 1995 meeting of the U. T. Board of Regents, as well as editorial amendments, have been incorporated on the revised pages.

AD/cf

Enclosures

July 11, 1994

Distribution List for Official Copies of  
Regents' Rules and Regulations

Board of Regents	9
Office of the Board of Regents	3
Executive Associate for Economic Affairs	1
Legislative Budget Board	1
Governor's Budget and Planning Office	1
Publications Clearing House	1
State Auditor - U. T. Austin Representative	1
Legislative Reference Library	1
System Administration	9
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Business Affairs	
Executive Assistant to the Chancellor	
Vice Chancellor for Asset Management	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers of Component Institutions	15
Chief of Staff, Office of the Chancellor, Texas A&M University System (Lancaster)	<u>  2</u>
TOTAL	43

NOTE: See July 6, 1988 letter (copy attached) from Coordinating Board which requests that only those amendments related to 1) academic workload and 2) faculty development leaves be sent to that office.

Addresses of State Officials Who Receive Copies  
of the Regents' Rules and Regulations

Governor's Budget and Planning Office  
711 Sam Houston Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Mr. John Keel  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
Two Commodore Plaza  
206 East 9th Street  
Suite 1900  
Austin, Texas 78701  
INTERAGENCY MAIL

Ms. Sally Reynolds  
Director  
Legislative Reference Library  
Room 207-B, Capitol Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

Dr. Kenneth H. Ashworth  
Commissioner, Texas Higher  
Education Coordinating Board  
7745 Chevy Chase Drive, Building 5  
Austin, Texas 78752  
INTERAGENCY MAIL

(NOTE: Send only when there are  
amendments related to 1) academic  
workload or 2) faculty development  
leaves.)

\*\*\*\*\*

Mr. W. C. Lancaster  
Chief of Staff  
Office of the Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117

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RULES AND REGULATIONS  
OF THE  
BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM  
FOR THE GOVERNMENT OF  
THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through November 9, 1995,  
and editorial amendments through November 1995  
have been issued with this cover sheet.)

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- 7.17(13) Consider and make recommendations to the Business Affairs and Audit Committee concerning capital improvement requests as related to the approved missions of the health-related institutions.
- 7.18 Duties of the Facilities Planning and Construction Committee.--The Facilities Planning and Construction Committee shall:
  - 7.181 Consider matters relating to the acquisition and use of the grounds and buildings of all campus and campus-related real property of The University of Texas System.
  - 7.182 Recommend to the Board the award of contracts to consulting and other architects; approve plans and accept bids for construction projects.
  - 7.183 Recommend to the Board the award and execution of construction and equipment contracts and approve progress reviews and beneficial occupancy of construction projects.
  - 7.184 Consider capital improvement requests and, with the prior approval of the Academic or Health Affairs Committee, make recommendations to the Board.
  - 7.185 Make recommendations to the Board with respect to the naming of University buildings, streets, roads, and other facilities including redesignation of existing facilities.
- 7.19 Duties of the Asset Management Committee.--The Asset Management Committee shall:
  - 7.191 Consider and make recommendations to the Board on all matters relating to the investment and investment properties of the Permanent University Fund and all other assets managed by the Office of Asset Management.

- 7.192 Recommend to the Board appointments and dismissals of members of the Investment Advisory Committee and of investment consultants and advisors.
  - 7.193 Periodically report to the Board on the investment operations of The University of Texas System.
  - 7.194 Counsel with the Chancellor and recommend Board action with respect to any recommendations related to the appointment, promotion, and dismissal of such System officers as are responsible for managing the investments of the System or any component thereof.
- 7.2 Board for Lease of University Lands.--Pursuant to Section 66.62, Texas Education Code, two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve with one member of the Board of Regents of The Texas A&M University System selected by the Board of Regents of that System and the Commissioner of the General Land Office on the Board for Lease of University Lands, an agency of the State of Texas. A regent member may not be directly or indirectly employed by, or be an officer of or an attorney for, an oil or gas company. An officer, employee, or paid consultant of a trade association in the oil and gas industry may not be a member of the Board, nor may a person who cohabits with or is the spouse of an officer, managerial employee, or paid consultant of a trade association in the oil and gas

7.2 Duties and Responsibilities.

The Vice Chancellor for Asset Management has responsibility for the management of trust and endowment lands and noncampus lands held in the name of the Board of Regents including the investment and management of trusts, trust assets, endowments, the Permanent University Fund and such other funds as may be assigned in such a manner as to maximize the monies available for excellence in all activities of the System. The Vice Chancellor for Asset Management will coordinate and cooperate with the Executive Vice Chancellor for Business Affairs in bringing to the Board recommendations on those policy issues which impact upon the asset management aspects of the Permanent University Fund Lands and shall provide to the Board of Regents through the Executive Vice Chancellor for Business Affairs an independent report and assessment of the System's ability to finance prospective debt issues. In consultation with the Chancellor, the Vice Chancellor for Asset Management shall prepare recommendations and supporting information on his or her responsibilities for consideration by the appropriate standing committees of the Board and the Board of Regents. The Vice Chancellor for Asset Management will coordinate and cooperate with the Office of General Counsel in the development and management of the Intellectual Property resources of the System.

7.3 Officers for Investments and Endowment Management and Administration.

The Vice Chancellor for Asset Management and his or her delegates, Executive Director for Investments and Executive Director of Endowment Management and Administration implement policies and actions approved by the Board with respect to:

- 7.31 Investing, managing, and administering all endowment funds belonging to the System and its component institutions, including the Permanent University Fund and all trusts and special funds.
- 7.32 Presenting to the Board through the Chancellor periodic reports of the status and prospect of funds for which he or she has

- 9.26 Defining the job responsibilities, the assignment of duties, and supervising staff members employed in or assigned to work in the governmental affairs area.
- 9.27 Performing such other duties and responsibilities for the efficient operation of the System as shall be assigned by the Chancellor.

Sec. 10. Vice Chancellor for Development and External Relations.

The Vice Chancellor for Development and External Relations reports to the Chancellor and is responsible for the programs of the System related to private sector support, alumni relations, public information, and external constituencies as set out in Subsection 10.2 of this Chapter. The Vice Chancellor for Development and External Relations provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Vice Chancellor for Development and External Relations has direct access to the Board of Regents of The University of Texas System and is expected to work directly with appropriate committees of the Board in discharging the duties of the office.

10.1 Appointment and Tenure.

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

10.2 Duties and Responsibilities.

The primary responsibilities of the Vice Chancellor for Development and External Relations include:

- 10.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 10.22 The development, organization, and administration of activities to obtain private sector funding for programs of the System.
- 10.23 The formal acceptance, following review and approval by the appropriate Executive Vice Chancellor, and the processing and administration (excluding investment management) of gifts as assigned which conform to all relevant laws and Board policies.

- 10.24 Recommending policies relating to acceptance, processing, and administration (excluding investment management) of gifts for all of the U. T. System's component institutions.
- 10.25 Making recommendations with respect to the acceptance of all proposed gifts and approval of all other actions related to the processing and administration of gifts managed by the Office of Development and External Relations, the terms of which do not conform to all relevant laws and Board policies.
- 10.26 Reporting to the Board on gifts processed and administered by the Office of Development and External Relations.
- 10.27 The organization and administration of programs for providing information to the public relating to the System and coordinating those programs with the public information programs of the component institutions.
- 10.28 Directing the administration of the System Office of Special Services.
- 10.29 Directing the administration of the System Office of Estates and Trusts.
- 10.2(10) To assist in the development, organization, and administration of programs and activities related to alumni of System component institutions in coordination with appropriate personnel of the component institutions.
- 10.2(11) Coordinating the policies and activities of the system and the component institutions related to internal and external foundations that provide support for the System and the component institutions.
- 10.2(12) The performance of such other duties and responsibilities as may be assigned by the Chancellor.

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

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

- 5.11 Constitutions and Bylaws Approved.--The constitutions and bylaws of the several associations in force at the date of adoption of these Rules and Regulations are hereby approved.
- 5.12 Mode of Amending Constitutions and Bylaws.--An amendment to the constitution or bylaws of a students' association may be adopted by an association, in accordance with its constitution and bylaws, but the change shall not become effective until transmitted to and acted upon by the chief student affairs officer, the chief administrative officer and the appropriate Executive Vice Chancellor. Such amendment shall be included in the institutional docket for ratification by the Board. Amendments to internal rules of procedure shall not become effective until transmitted to and acted upon by the chief student affairs officer and the chief administrative officer.
- 5.13 Amendment or Repeal by Regents.--The Board shall amend or repeal any portion of the constitution and bylaws of a students' association when, in the judgment of the Board, the interests of the particular institution shall require it.
- 5.14 Amendment or Repeal by the Chief Student Affairs Officer.--The chief student affairs officer shall have the power, when in his or her judgment the interests of the institution require it, to amend or repeal any provision in the constitution or bylaws of the particular association, but such action shall be in force only until the next meeting of the Board when Subdivision 5.13, above, shall become applicable.
- 5.15 Salaried Employees.--All persons officially employed on salary by or under the direct supervision of a students' association shall be subject to approval by the chief student affairs officer and the chief administrative officer.
- 5.16 Annual Financial Reports.--Every officially recognized students' association shall make annually a complete financial report to the institutional chief business officer and shall make such special reports as may be called for by such business officer. A duplicate copy of each report shall be filed

<u>Foundation</u>	<u>Date Established</u>
The University of Texas - Pan American Bronc Foundation	10/7/94
The University of Texas of the Permian Basin Falcon Athletic Club Foundation	5/11/95

Sec. 5. Internal Corporations.

- 5.1 Definition.--As used in this Chapter, the term "internal corporation" means a nonprofit corporation chartered under the laws of the State of Texas:
- (1) under the Charter of which, the Board of Regents:
    - (a) acts as the Board of Directors or has the authority to appoint (or to approve or reject the appointment of) the Board of Directors; and
    - (b) has the authority to approve amendments to the charter and bylaws; and
  - (2) the funds of which are deposited and accounted for in appropriate University accounts.
- 5.2 An internal corporation is managed pursuant to its charter and bylaws and in accordance with the Regents' Rules and Regulations.

- 5.3 The following internal corporations are presently authorized:

<u>Internal Corporations</u>	<u>Date Chartered</u>
The Aerospace Heritage Foundation, Inc.	9/7/78
Ima Hogg Foundation, Inc.	6/26/64
The University of Texas System Medical Foundation, Inc.	10/5/73
The University of Texas at Austin School of Law Continuing Legal Education, Inc.	8/17/81
The University of Texas at Austin School of Law Publications, Inc.	8/17/81

Sec. 6. External Nonprofit Corporations.

The Board of Regents recognizes that there are legally incorporated nonprofit organizations (most having the word "foundation" in their charter) whose sole purpose is to benefit The University of Texas System, its component institutions, or teaching, research, and other activities within those component institutions. These organizations are administered by boards of directors independent from the control and supervision of the Board of Regents. Accordingly, as is the case with other external organizations, no component institution, or department or school of a component institution, may accept or receive gifts or bequests from any such external organization until such gifts or bequests have been accepted and approved by the Board of Regents.

Sec. 7. Conflict of Interest, Performance of Services, and Use of University Facilities.

- 7.1 Unless specifically authorized by law, no officer or employee of The University of Texas System or its component institutions shall accept remunerations from or serve as an officer, director, employee, or agent of an external nonprofit corporation or an external entity that has as its primary objective the provision of funds or services for the furtherance of the purposes and duties of the System or its components.
- 7.2 No officer or employee of The University of Texas System or its component institutions shall act as the agent for any corporation, association, organization, partnership, or individual in the negotiation of the terms or conditions of any agreement relating to the provision of funds, services, or property to the System or its components by such corporation, association, organization, partnership, or individual.
- 7.3 The utilization of equipment, facilities or services of employees and officers of The University of Texas System or its component institutions by an external nonprofit corporation or external entity that has as its primary objective the provision of funds or services for the furtherance of the purposes and duties of the System or its components shall be permitted only in accordance with a negotiated agreement that provides for the payment of adequate compensation for such equipment, facilities or services.

	<u>Full Title</u>	<u>Short Title</u>
4.66	The University of Texas at Dallas School of Natural Sciences and Mathematics	
4.67	The University of Texas at Dallas School of Social Sciences	
4.68	The University of Texas at Dallas Callier Center for Communication Disorders	
4.7	The University of Texas at El Paso	U.T. El Paso
4.71	The University of Texas at El Paso College of Business Administration	
4.72	The University of Texas at El Paso College of Education	
4.73	The University of Texas at El Paso College of Engineering	
4.74	The University of Texas at El Paso College of Liberal Arts	
4.75	The University of Texas at El Paso College of Nursing and Health Sciences	
4.76	The University of Texas at El Paso College of Science	
4.77	The University of Texas at El Paso Graduate School	
4.8	The University of Texas - Pan American	U.T. Pan American
4.81	The University of Texas - Pan American College of Liberal and Performing Arts	
4.82	The University of Texas - Pan American College of Business Administration	
4.83	The University of Texas - Pan American College of Education	
4.84	The University of Texas - Pan American College of Health Sciences and Human Services	

	<u>Full Title</u>	<u>Short Title</u>
4.85	The University of Texas - Pan American College of Science and Engineering	
4.86	The University of Texas - Pan American College of Social and Behavioral Sciences	
4.9	The University of Texas of the Permian Basin	U.T. Permian Basin
4.91	The University of Texas of the Permian Basin College of Arts and Sciences	
4.92	The University of Texas of the Permian Basin School of Business	
4.93	The University of Texas of the Permian Basin School of Education	
4.(10)	The University of Texas at San Antonio	U.T. San Antonio
4.(10)1	The University of Texas at San Antonio College of Business	
4.(10)2	The University of Texas at San Antonio College of Fine Arts and Humanities	
4.(10)3	The University of Texas at San Antonio College of Social and Behavioral Sciences	
4.(10)4	The University of Texas at San Antonio College of Sciences and Engineering	
4.(10)5	The University of Texas Institute of Texan Cultures at San Antonio	U.T. Institute of Texan Cul- tures - San Antonio
4.(10)6	The University of Texas at San Antonio Downtown Campus	U.T. San Antonio Downtown Campus

	<u>Full Title</u>	<u>Short Title</u>
4.(11)	The University of Texas at Tyler	U.T. Tyler
4.(11)1	The University of Texas at Tyler School of Business Administration	
4.(11)2	The University of Texas at Tyler School of Education and Psychology	

11/9/95 minutes

In closing, Representative Alonzo emphasized that the responsibility for improving accessibility and availability of higher education for all students should be a shared one, requiring a coordinated, sustained effort not only by policy makers, Boards of Regents, educators, and college students, but by everyone in the community at large.

At the conclusion of his remarks, Representative Alonzo distributed to the Board a document entitled "The North Texas Initiative -- A Preliminary Prospectus for Recommendations on Mexican Americans and Higher Education in the North Texas Region," a copy of which is on file in the Office of the Board of Regents.

On behalf of the Board, Chairman Rapoport thanked Mr. Alonzo for his very informative remarks.

#### SPECIAL ITEMS

1. U. T. Board of Regents - Regents' Rules and Regulations: Amendments to Part One, Chapters I (Board of Regents) and II (Administration) and Part Two, Chapter I (General) to Implement Changes in the Processing of Private Gifts. --Due to the reorganization of The University of Texas System Office of Asset Management and the need for some minor editorial amendments regarding the processing of private gifts, approval was given to amend the Regents' Rules and Regulations, Parts One and Two as set forth below:

- a. Part One, Chapter I, Section 7, Subsection 7.19 (Duties of the Asset Management Committee) was amended to read as set forth below:

- 7.191 Consider and make recommendations to the Board on all matters relating to the investment and investment properties of the Permanent University Fund and all other assets managed by the Office of Asset Management.
- 7.192 Recommend to the Board appointments and dismissals of members of the Investment Advisory Committee and of investment consultants and advisors.
- 7.193 Periodically report to the Board on the investment operations of The University of Texas System.
- 7.194 Counsel with the Chancellor and recommend Board action with respect to any recommendations related to the appointment, promotion, and dismissal of such System officers as are responsible for managing the investments of the System or any component thereof.

Chairman Rapoport  
Thanked Mr. Alonzo  
for his very informative  
remarks.

- b. Part One, Chapter II, Section 7, Subsection 7.2 (Duties and Responsibilities of the Vice Chancellor for Asset Management) was amended to read as follows:

✓ 7.2 Duties and Responsibilities.

The Vice Chancellor for Asset Management has responsibility for the management of trust and endowment lands and noncampus lands held in the name of the Board of Regents including the investment and management of trusts, trust assets, endowments, the Permanent University Fund and such other funds as may be assigned in such a manner as to maximize the monies available for excellence in all activities of the System. The Vice Chancellor for Asset Management will coordinate and cooperate with the Executive Vice Chancellor for Business Affairs in bringing to the Board recommendations on those policy issues which impact upon the asset management aspects of the Permanent University Fund Lands and shall provide to the Board of Regents through the Executive Vice Chancellor for Business Affairs an independent report and assessment of the System's ability to finance prospective debt issues. In consultation with the Chancellor, the Vice Chancellor for Asset Management shall prepare recommendations and supporting information on his or her responsibilities for consideration by the appropriate standing committees of the Board and the Board of Regents. The Vice Chancellor for Asset Management will coordinate and cooperate with the Office of General Counsel in the development and management of the Intellectual Property resources of the System.

- c. Part One, Chapter II, Section 10, Subsection 10.2 (Duties and Responsibilities of the Vice Chancellor for Development and External Relations) was amended to read as set forth below:

✓ 10.2 Duties and Responsibilities.

The primary responsibilities of the Vice Chancellor for Development and External Relations include:

- 10.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 10.22 The development, organization, and administration of activities to obtain private sector funding for programs of the System.
- 10.23 The formal acceptance, following review and approval by the appropriate Executive Vice Chancellor, and the processing and administration (excluding investment management) of gifts as assigned which conform to all relevant laws and Board policies.

- 10.24 Recommending policies relating to acceptance, processing, and administration (excluding investment management) of gifts for all of the U. T. System's component institutions.
- 10.25 Making recommendations with respect to the acceptance of all proposed gifts and approval of all other actions related to the processing and administration of gifts managed by the Office of Development and External Relations, the terms of which do not conform to all relevant laws and Board policies.
- 10.26 Reporting to the Board on gifts processed and administered by the Office of Development and External Relations.
- 10.27 The organization and administration of programs for providing information to the public relating to the System and coordinating those programs with the public information programs of the component institutions.
- 10.28 Directing the administration of the System Office of Special Services.
- 10.29 Directing the administration of the System Office of Estates and Trusts.
- 10.2(10) To assist in the development, organization, and administration of programs and activities related to alumni of System component institutions in coordination with appropriate personnel of the component institutions.
- 10.2(11) Coordinating the policies and activities of the System and the component institutions related to internal and external foundations that provide support for the System and the component institutions.
- 10.2(12) The performance of such other duties and responsibilities as may be assigned by the Chancellor.

d. Part Two, Chapter I, Section 1 (Gifts to The University of Texas System) was amended to read as set forth below:

Sec. 1. Gifts to The University of Texas System.

- 1.1 The authority to accept gifts to the System or to any of the component institutions is vested in the Board.
- 1.2 Unless otherwise approved by the Board, all gifts to the System or any component institution shall be made in accordance with all relevant laws and Board policies, including but not limited to, the provisions of the U. T. System Gifts Policy Guidelines and approved institutional policies.

11/9/95 minutes

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 153 - 160).--Committee Chairman Lebermann reported that the Academic Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter VI, Section 5, Subsection 5.12 (Participation in Student Government).--Upon recommendation of the Academic Affairs and Health Affairs Committees, the Board amended the Regents' Rules and Regulations, Part One, Chapter VI, Section 5, Subsection 5.12, regarding the mode of amending constitutions and bylaws, as set forth below:

Sec. 5. Participation in Student Government.

- ✓ 5.12 Mode of Amending Constitutions and Bylaws.--An amendment to the constitution or bylaws of a students' association may be adopted by an association, in accordance with its constitution and bylaws, but the change shall not become effective until transmitted to and acted upon by the chief student affairs officer, the chief administrative officer and the appropriate Executive Vice Chancellor. Such amendment shall be included in the institutional docket for ratification by the Board. Amendments to internal rules of procedure shall not become effective until transmitted to and acted upon by the chief student affairs officer and the chief administrative officer.

This amendment brings the Regents' Rules and Regulations into conformity with the recent Regentally approved procedural change which assigned matters related to student association constitutions to Regental approval via the institutional docket following approval by the Executive Vice Chancellor for Academic Affairs or Health Affairs as appropriate.

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval to Amend Chapter VII, Section 5 (Trust Foundations).--The language of the Regents' Rules and Regulations, Part One, Chapter VII, Section 5 concerning trust foundations is outdated with regard to current Internal Revenue Service terminology and with reference to current processing by The University of Texas System of the three charitable trusts identified therein (Hogg Foundation for Mental Health, Winedale Stagecoach Inn Fund, and Robertson Poth Foundation).

In accordance therewith and upon recommendation of the Academic Affairs and Health Affairs Committees, Section 5 (Trust Foundations) of Chapter VII, Part One of the Regents' Rules and Regulations was deleted in its entirety and the remaining sections of Chapter VII were renumbered as appropriate.

Among the three trusts referenced in this section, the Hogg Foundation for Mental Health has been dissolved and a recommendation for dissolution of the Robertson Poth Foundation will be presented to the Board for formal action in the future. Provisions of the Winedale Stagecoach Inn Fund are being reviewed to determine the optimum permissible operating structure for the Fund.

3. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter VIII, Section 4, Subsections 4.8 and 4.(10) (Institutions and Entities Composing the System). --To reflect changes in the names or titles of academic entities within The University of Texas System general academic institutions that are primarily the result of academic program or administrative structure changes approved by the U. T. Board of Regents and the Texas Higher Education Coordinating Board during the past year, the Board amended the Regents' Rules and Regulations, Part One, Chapter VIII, Section 4, Subsections 4.8 and 4.(10) as set forth below:

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

	<u>Full Title</u>	<u>Short Title</u>
✓ 4.8	The University of Texas - Pan American	U.T. Pan American
4.81	The University of Texas - Pan American College of Liberal and Performing Arts	
4.82	The University of Texas - Pan American College of Business Administration	
4.83	The University of Texas - Pan American College of Education	
4.84	The University of Texas - Pan American College of Health Sciences and Human Services	
4.85	The University of Texas - Pan American College of Science and Engineering	
4.86	The University of Texas - Pan American College of Social and Behavioral Sciences	

	<u>Full Title</u>	<u>Short Title</u>
4.(10)	The University of Texas at San Antonio	U.T. San Antonio
4.(10)6	The University of Texas at San Antonio Downtown Campus	U.T. San Antonio Downtown Campus

4. U. T. Board of Regents - Regents' Rules and Regulations, Part Two: Approval of Amendments to Chapter I, Section 9, Subsection 9.3 (Official Seal, Colors, Flag, Logo, and Mascot).--Upon recommendation of the Academic Affairs and Health Affairs Committees, approval was given to amend the Regents' Rules and Regulations, Part Two, Chapter I, Section 9, Subsection 9.3, regarding the official flag, to read as set forth below:

Sec. 9. Official Seal, Colors, Flag, Logo, and Mascot.

- 9.3 The Texas State Flag shall be designated as the official flag of the System, and the official flag of each component institution shall be the Texas State Flag with a streamer with the official name of the component institution in white letters on an orange field, and a special occasion banner, as determined to be appropriate by the chief administrative officer in consultation with the appropriate Executive Vice Chancellor. No component institution shall have or display any other flag as its official flag. Nothing in this Subsection shall be interpreted to prohibit display of other flags in a manner consistent with the Texas Flag Code, Article 6139, Vernon's Texas Civil Statutes.

These amendments explicitly authorize an institution to display a special occasion banner in conjunction with a special campus celebration such as a centennial year and clarify that, pursuant to the Texas Flag Code, institutions may not be prohibited from flying national, state, municipal, or foreign flags as long as such display is consistent with the Code.

5. U. T. System Adoption of a Policy on Fees for Continuing Education Courses.--The 74th Texas Legislature adopted House Bill 815 which added Section 54.545 to the Texas Education Code requiring the governing board of an institution of higher education to charge a reasonable fee to persons registered in continuing education courses at the institution. Continuing education is defined to include an "extension course, correspondence course, or other self-supporting course" for which the institution does not collect tuition or receive formula funding. The statute also provides that the fee shall be in sufficient amount to permit the institution to recover costs of providing the course.

In compliance therewith, the Board adopted the Policy on Fees for Continuing Education Courses for The University of Texas System as set out on Page 156.

OFFICE OF THE BOARD OF REGENTS  
THE UNIVERSITY OF TEXAS SYSTEM  
BOX N - AUSTIN, TEXAS 78713-8914 (512) 499-4402

MEMORANDUM

September 18, 1995

TO: Those Who Receive RRR Amendments (List Attached) *11/1/95*

FROM: Art Dilly *AD*

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page i	Page i
Pages I-11, I-14, I-15, I-16, I-21, I-22, I-23, and I-25	Pages I-11, I-14, I-15, I-16, I-21, I-22, I-23, and I-25
Pages II-3 and II-10	Pages II-3 and II-10
Pages III-9a and III-10	Pages III-9a and III-10

The amendments approved at the August 10, 1995 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AD/cf

Enclosures

July 11, 1994

Distribution List for Official Copies of  
Regents' Rules and Regulations

Board of Regents	9
Office of the Board of Regents	3
Executive Associate for Economic Affairs	1
Legislative Budget Board	1
Governor's Budget and Planning Office	1
Publications Clearing House	1
State Auditor - U. T. Austin Representative	1
Legislative Reference Library	1
System Administration	9
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Business Affairs	
Executive Assistant to the Chancellor	
Vice Chancellor for Asset Management	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers of Component Institutions	15
Chief of Staff, Office of the Chancellor, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	43

NOTE: See July 6, 1988 letter (copy attached) from Coordinating Board which requests that only those amendments related to 1) academic workload and 2) faculty development leaves be sent to that office.

July 11, 1994

Addresses of State Officials Who Receive Copies  
of the Regents' Rules and Regulations

Governor's Budget and Planning Office  
711 Sam Houston Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Mr. John Keel  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
Two Commodore Plaza  
206 East 9th Street  
Suite 1900  
Austin, Texas 78701  
INTERAGENCY MAIL

Ms. Sally Reynolds  
Director  
Legislative Reference Library  
Room 207-B, Capitol Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

Dr. Kenneth H. Ashworth  
Commissioner, Texas Higher  
Education Coordinating Board  
7745 Chevy Chase Drive, Building 5  
Austin, Texas 78752  
INTERAGENCY MAIL

(NOTE: Send only when there are  
amendments related to 1) academic  
workload or 2) faculty development  
leaves.)

\*\*\*\*\*

Mr. W. C. Lancaster  
Chief of Staff  
Office of the Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117

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RULES AND REGULATIONS  
OF THE  
BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM  
FOR THE GOVERNMENT OF  
THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through August 10, 1995,  
have been issued with this cover sheet.)

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- 7.162 Recommend to the Board policies relating to soliciting and securing gifts for the University's general academic institutions.
- 7.163 Consider and report to the Board on all matters affecting the libraries of the general academic institutions.
- 7.164 Recommend to the Business Affairs and Audit Committee matters which commit the general academic institutions to operating expenditures in future years.
- 7.165 Consider and recommend to the Business Affairs and Audit Committee the annual operating budgets of the general academic institutions, including rates of compensation.
- 7.166 Consider and recommend to the Business Affairs and Audit Committee biennial submissions of appropriation requests to the Legislative Budget Board and to the Governor as prepared by the System Administration and component institutions in accordance with Section 6 of Chapter II of Part Two of these Rules and Regulations.
- 7.167 Counsel with the Executive Vice Chancellor for Academic Affairs and the Chancellor and recommend to the Board approval of matters related to student affairs, fees and housing in the general academic institutions.
- 7.168 Counsel with the Executive Vice Chancellor for Academic Affairs and the Chancellor and recommend to the Board approval of the appointment, promotion, and dismissal of such institutional officers as may be appropriate in the general academic institutions.

- 7.17(10) Recommend to the Board policies relating to soliciting and securing gifts for the University's health-related institutions.
- 7.17(11) With respect to each Hospital, clinic and patient-care facility owned by The University of Texas System:
  - 7.17(11)1 Review and make recommendations to the Board concerning the bylaws, and rules and regulations of the medical staff;
  - 7.17(11)2 Review and make recommendations to the Board concerning mechanisms and controls for the achievement and maintenance of high standards of professional practices in and at the Hospital, clinic or patient-care facility.
- 7.17(12) Counsel with the Chancellor and recommend Board action with respect to any recommendations by the Executive Vice Chancellor for Health Affairs related to the appointment, promotion, and dismissal of such System Administration Officers as report directly or indirectly to the Executive Vice Chancellor for Health Affairs.

- 7.17(13) Consider and make recommendations to the Business Affairs and Audit Committee concerning capital improvement requests as related to the approved missions of the health-related institutions.
- 7.18 Duties of the Facilities Planning and Construction Committee.--The Facilities Planning and Construction Committee shall:
- 7.181 Consider matters relating to the acquisition and use of the grounds and buildings of all campus and campus-related real property of The University of Texas System.
- 7.182 Recommend to the Board the award of contracts to consulting and other architects; approve plans and accept bids for construction projects.
- 7.183 Recommend to the Board the award and execution of construction and equipment contracts and approve progress reviews and beneficial occupancy of construction projects.
- 7.184 Consider capital improvement requests and, with the prior approval of the Academic or Health Affairs Committee, make recommendations to the Board.
- 7.185 Make recommendations to the Board with respect to the naming of University buildings, streets, roads, and other facilities including redesignation of existing facilities.
- 7.19 Duties of the Asset Management Committee.--The Asset Management Committee shall:
- 7.191 Consider and make recommendations to the Board on all matters relating to the investment and investment properties of the Permanent University Fund and all other assets managed by the Office of Asset Management.
- 7.192 Recommend to the Board policies relating to acceptance and management of gifts for all of the University's institutions, for gifts that are managed by the Office of Asset Management.

- 7.193 Make recommendations to the Board with respect to the acceptance of all proposed gifts and approval of other miscellaneous actions related to the administration of gifts managed by the Office of Asset Management, the terms of which do not conform to existing Board policies.
- 7.194 Periodically report to the Board on gifts managed by the Office of Asset Management.
- 7.195 Recommend to the Board appointments and dismissals of members of the Investment Advisory Committee and of investment consultants and advisors.
- 7.196 Periodically report to the Board on the investment operations of The University of Texas System.
- 7.197 Counsel with the Chancellor and recommend Board action with respect to any recommendations related to the appointment, promotion, and dismissal of such System officers as are responsible for managing the investments of the System or any component thereof.
- 7.2 Board for Lease of University Lands.--Pursuant to Section 66.62, Texas Education Code, two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve with one member of the Board of Regents of The Texas A&M University System selected by the Board of Regents of that System and the Commissioner of the General Land Office on the Board for Lease of University Lands, an agency of the State of Texas. A regent member may not be directly or indirectly employed by, or be an officer of or an attorney for, an oil or gas company. An officer, employee, or paid consultant of a trade association in the oil and gas industry may not be a member of the Board, nor may a person who cohabits with or is the spouse of an officer, managerial employee, or paid consultant of a trade association in the oil and gas

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

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

8.54

Communications from the Faculty Advisory Council and the Student Advisory Group to the Board are through the Chancellor. A docket, to be entitled "Chancellor's Docket No. \_\_\_\_\_," composed of routine matters arising from System Administration and the component institutions, which are required to be reported to and/or approved by the Board in accordance with established policies of the Board, shall be prepared as directed and approved by the Chancellor, appropriate Executive Vice Chancellor, and Vice Chancellor, as appropriate. All docket items from the component institutions must be received by the System Administration not less than twenty-one days prior to the next regular scheduled meeting for inclusion on the docket for that meeting. The Chancellor's Docket shall be distributed by the Executive Secretary to all members of the Board ten days before the Board convenes, together with a ballot to be returned seven days thereafter. The ballot will read: "Approved, except as

to the following items;" with space provided for listing the excepted items. All items not excepted by any Regent will be approved by the Board at its next meeting, without detailed consideration. Any excepted item listed by any Regent will be deferred and will be processed through the appropriate standing committee for consideration at the first regular meeting of the Board following action of the item by the appropriate standing committee.

8.55

A description of all matters to be considered by the Board or a standing committee of the Board at any meeting shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and to designated officials at least five days in advance of the meeting at which they are to be considered, and insofar as possible, such material shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and the designated officials at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the need for action thereon, and the recommendations of the Chancellor. Where contractual awards are involved, the summary shall show the method of competition, if any, the names and offers of all interested parties, and generally sufficient information to show the reasons for and fairness of each transaction. The recommendations of the Chancellor shall state whether they are fully concurred in by any Executive Vice Chancellor, Vice Chancellor or chief administrative officer involved, and if not, their views and recommendations shall be included. Any matter not sent to the members of the Board or the members of a standing committee of the Board, documented as herein provided, at least five days in advance of the meeting at which it is to be considered, shall go over to the next meeting for consideration; provided, however,

that if sufficient emergency exists requiring immediate action and it appears that the delay was unavoidable, this requirement may be waived by a two-thirds vote of the Board or a standing committee of the Board.

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

- 10.13 renewals of permits or licenses issued to the Board or a component institution that are renewable without change in the terms or conditions thereof where the original application for such permit or license was made pursuant to the approval or authorization of the Board and such approval or authorization has not been withdrawn.
- 10.2 The provisions of this Section shall not apply to documents submitted for the review and approval of the Board pursuant to the provisions of Subsection 8.54 of Section 8, Chapter I, Part One of these Rules and Regulations.
- 10.3 All documents executed on behalf of the Board pursuant to this Section other than renewals of permits or licenses executed pursuant to Section 10.13, shall have affixed thereto a certification by the Executive Secretary to the Board attesting to the action of the Board approving such document and setting forth the date of such approval.

Sec. 11. Ethics Policy.

Each member of the Board of Regents shall perform his or her activities on behalf of The University of Texas System in conformity with the Ethics Policy as set out in Part One, Chapter III, Section 4 of the Regents' Rules and Regulations and other state laws related to standards of conduct and conflict of interest.

- 3.25 Periodically reviewing the organization of the System Administration and the component institutions of the System and reporting to the appropriate standing committees of the Board and to the Board recommendations for changes in organization, assignments and procedures.
- 3.26 Preparing and approving appropriate recommendations to the Board and its standing committees along with the recommendation of the appropriate Executive Vice Chancellor, Vice Chancellor, as appropriate, or chief administrative officer of a component institution.
- 3.27 Preparing and approving annual operating budgets for the System Administration and the component institutions of the System and submitting such recommendations to the Board.
- 3.28 Preparing and approving biennial legislative submissions to the Legislative Budget Board and to the Governor for the System Administration and the component institutions of the System for the consideration of the Board in accordance with Section 6 of Chapter II of Part Two of these Rules and Regulations.

3.3 Audit.

The Chancellor, as chief executive officer of the System, is responsible for insuring the implementation of appropriate audit procedures for the System. Accordingly, the System Director of Audits prepares an executive summary of all internal audit activity by the System internal auditors and the institutional internal auditors for the Chancellor.

- 3.31 System Director of Audits.  
The System Director of Audits is responsible for coordinating the effective auditing of the System as set out in Subdivision 3.312 of this Chapter. The System Director of Audits provides audit assistance to the Chancellor, the Executive Vice Chancellors and the Vice Chancellors in the exercise of their responsibilities.

- 7.2 Duties and Responsibilities.  
The Vice Chancellor for Asset Management has responsibility for the formal acceptance, following review and approval by the appropriate Executive Vice Chancellor, and the management of gifts as assigned, the management of trust and endowment lands and non-campus lands held in the name of the Board of Regents including the investment and management of trusts, trust assets, endowments, the Permanent University Fund and such other funds as may be assigned in such a manner as to maximize the monies available for excellence in all activities of the System. The Vice Chancellor for Asset Management will coordinate and cooperate with the Executive Vice Chancellor for Business Affairs in bringing to the Board recommendations on those policy issues which impact upon the asset management aspects of the Permanent University Fund Lands and shall provide to the Board of Regents through the Executive Vice Chancellor for Business Affairs an independent report and assessment of the System's ability to finance prospective debt issues. In consultation with the Chancellor, the Vice Chancellor for Asset Management shall prepare recommendations and supporting information on his or her responsibilities for consideration by the appropriate standing committees of the Board and the Board of Regents. The Vice Chancellor for Asset Management will coordinate and cooperate with the Office of General Counsel in the development and management of the Intellectual Property resources of the System.
- 7.3 Officers for Investments and Endowment Management and Administration.  
The Vice Chancellor for Asset Management and his or her delegates, Executive Director for Investments and Executive Director of Endowment Management and Administration implement policies and actions approved by the Board with respect to:
- 7.31 Investing, managing, and administering all endowment funds belonging to the System and its component institutions, including the Permanent University Fund and all trusts and special funds.
  - 7.32 Presenting to the Board through the Chancellor periodic reports of the status and prospect of funds for which he or she has

Sec. 4. Ethics Policy.--Officers, faculty, and employees of the U. T. System may not have a direct or indirect interest, financial or otherwise, of any nature that is in conflict<sup>1</sup> with the proper discharge of the officer's or employee's duties. Officers, faculty, and employees shall timely furnish such written disclosures as may be required by state and federal authorities or by System requirement.

All officers, faculty, and employees shall adhere to the laws, rules, regulations and policies of applicable governmental and institutional authorities and the following standards of conduct. The failure to do so may be grounds for disciplinary action, up to and including termination of employment.

- 4.1 No employee shall accept or solicit any gift, favor, or service that might reasonably tend to influence the employee in the discharge of his or her official duties or that the employee knows or should know is being offered with the intent to influence his or her official conduct.
- 4.2 No employee shall intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his or her official powers or performed his or her official duties in favor of another.
- 4.3 No employee shall accept employment or engage in any business or professional activity which the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by reason of his or her official position.
- 4.4 No employee shall disclose confidential information gained by reason of his or her official position or otherwise use such information for his or her personal gain or benefit.
- 4.5 No employee shall transact any business in his or her official capacity with any business entity of which the employee is an officer, agent, or member, or in which the employee owns a substantial interest.<sup>1</sup>
- 4.6 No employee shall make personal investments which could reasonably be expected to create a substantial conflict<sup>1</sup> between the employee's private interest and the public interest.

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<sup>1</sup>Section 571.005, Texas Government Code, "Determination of Substantial Interest" may be helpful in defining and identifying such matters.

- 4.7 No employee shall accept other employment or compensation which could reasonably be expected to impair the employee's independence of judgment in the performance of the employee's public duties.
- 4.8 Sexual Harassment and Misconduct: The educational and working environments of the System and its component institutions should be free from inappropriate conduct of a sexual nature. Sexual misconduct and sexual harassment are unprofessional and unacceptable. The components of the U. T. System shall adopt policies prohibiting sexual harassment and sexual misconduct and procedures for review of complaints. These policies and procedures shall be reviewed by the appropriate Executive Vice Chancellor and shall be published in the Handbook of Operating Procedures of each component.

The System has a series of policies concerning ethical and legal standards of conduct for employees of System Administration and component institutions. Pertinent materials are contained in the Standards of Conduct Digest and should be referenced in the instance of possible conflicts of interest, ethics questions, and compliance with related laws.

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

- 5.1 Whenever an appointment is made, either on a full-time or part-time basis, it shall be made solely with regard to the special fitness of the appointee, subject to applicable statutes; and subject also to the provisions of this Section of the Regents' Rules and Regulations.
- 5.2 In accordance with the prohibition of Section 573.001 et seq., Texas Government Code, no person related to any member of the Board of Regents within the second degree by affinity or within the third degree by consanguinity shall be eligible for appointment to any office, position, employment, or duty with The

On behalf of the faculty, staff, and students of U. T. San Antonio, President Kirkpatrick welcomed the members of the Board and other guests to The University of Texas Institute of Texan Cultures at San Antonio.

U. T. BOARD OF REGENTS: APPROVAL OF MINUTES OF REGULAR MEETING HELD ON MAY 11, 1995, AND SPECIAL MEETING HELD ON MAY 25, 1995.--Upon motion of Vice-Chairman Smiley, seconded by Regent Holmes, the Minutes of the regular meeting of the Board of Regents of The University of Texas System held on May 11, 1995, in Galveston, Texas, were approved as distributed by the Executive Secretary. The official copy of these Minutes is recorded in the Permanent Minutes, Volume XLII, Pages 1870 - 2568.

Upon motion of Regent Loeffler, seconded by Regent Temple, the Minutes of the special meeting of the Board of Regents of The University of Texas System held on May 25, 1995, in Austin, Texas, were approved as distributed by the Executive Secretary. The official copy of these Minutes is recorded in the Permanent Minutes, Volume XLII, Pages 2569-2570.

SPECIAL ITEMS

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendments to Chapter I, Section 11 (Ethics Policy) and Chapter III, Section 4 (Code of Ethics).--In order to clarify that the ethics policy governing conduct of employees pertains to members of the U. T. Board of Regents, insofar as same are applicable to non-employees, and to add specific policy and directives concerning sexual harassment and sexual misconduct, the Board amended the Regents' Rules and Regulations, Part One, Chapters I and III as set forth below:

- a. Section 11 to Chapter I concerning the applicability of the ethics policy to members of the U. T. Board of Regents was added to read as follows:

Blue check marks indicate section was orally adopted by GF/RT on 9/7/95

Sec. 11. Ethics Policy.

Each member of the Board of Regents shall perform his or her activities on behalf of The University of Texas System in conformity with the Ethics Policy as set out in Part One, Chapter III, Section 4 of the Regents' Rules and Regulations and other state laws related to standards of conduct and conflict of interest.

- b. Chapter III, Section 4 regarding the Code of Ethics for all U. T. System employees was amended to read as follows:

Sec. 4. Ethics Policy.--Officers, faculty, and employees of the U. T. System may not have a direct or indirect interest, financial or otherwise, of any nature that is in conflict with the proper discharge of

the officer's or employee's duties. Officers, faculty, and employees shall timely furnish such written disclosures as may be required by state and federal authorities or by System requirement.

All officers, faculty, and employees shall adhere to the laws, rules, regulations and policies of applicable governmental and institutional authorities and the following standards of conduct. The failure to do so may be grounds for disciplinary action, up to and including termination of employment.

- 4.1 No employee shall accept or solicit any gift, favor, or service that might reasonably tend to influence the employee in the discharge of his or her official duties or that the employee knows or should know is being offered with the intent to influence his or her official conduct.
- 4.2 No employee shall intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his or her official powers or performed his or her official duties in favor of another.
- 4.3 No employee shall accept employment or engage in any business or professional activity which the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by reason of his or her official position.
- 4.4 No employee shall disclose confidential information gained by reason of his or her official position or otherwise use such information for his or her personal gain or benefit.
- 4.5 No employee shall transact any business in his or her official capacity with any business entity of which the employee is an officer, agent, or member, or in which the employee owns a substantial interest.<sup>1</sup>
- 4.6 No employee shall make personal investments which could reasonably be expected to create a substantial conflict<sup>1</sup> between the employee's private interest and the public interest.
- 4.7 No employee shall accept other employment or compensation which could reasonably be expected to impair the employee's independence of judgment in the performance of the employee's public duties.

- 4.8 **Sexual Harassment and Misconduct:** The educational and working environments of the System and its component institutions should be free from inappropriate conduct of a sexual nature. Sexual misconduct and sexual harassment are unprofessional and unacceptable. The components of the U. T. System shall adopt policies prohibiting sexual harassment and sexual misconduct and procedures for review of complaints. These policies and procedures shall be reviewed by the appropriate Executive Vice Chancellor and shall be published in the Handbook of Operating Procedures of each component.

The System has a series of policies concerning ethical and legal standards of conduct for employees of System Administration and component institutions. Pertinent materials are contained in the Standards of Conduct Digest and should be referenced in the instance of possible conflicts of interest, ethics questions, and compliance with related laws.

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<sup>1</sup>Section 571.005, Texas Government Code, "Determination of Substantial Interest" may be helpful in defining and identifying such matters.

In accordance with Section 32 of Article IX of the 1996-97 General Appropriations Act, a copy of the ethics policy will be filed with the Texas Higher Education Coordinating Board.

2. U. T. Board of Regents - Regents' Rules and Regulations: Amendments to Part One, Chapters I (Board of Regents) and II (Administration) and Part Two, Chapters I (General) and IX (Matters Relating to Investments, Trusts, and Lands) to Implement Changes in the Processing of Private Gifts.--In December 1994, the U. T. Board of Regents, at the recommendation of The University of Texas System Process Review Committee, chaired by Regent Lebermann, authorized a more effective and efficient procedure to accept and process private gifts to the U. T. System Administration and component institutions. The newly authorized procedures: (a) expand the delegation of authority of the chief administrative officers to accept certain gifts, (b) delegate to the Vice Chancellor for Asset Management authority to accept gifts and approve certain administrative actions related to gifts managed by the Office of Asset Management that conform to policy, and (c) require that all requests for exceptions to policy be considered by the U. T. Board of Regents via the agenda process.

To implement these new procedures, approval was given to amend the Regents' Rules and Regulations, Parts One and Two as set forth on Pages 5 - 14.

The Regents' Rules and Regulations, Part One, were amended as set forth below:

- a. Chapter I, Section 7, Subsection 7.162 (Duties of the Academic Affairs Committee) was amended to read as set forth below:

✓ 7.162 Recommend to the Board policies relating to soliciting and securing gifts for the University's general academic institutions.

- b. Chapter I, Section 7, Subsection 7.17(10) (Duties of the Health Affairs Committee) was amended to read as set forth below:

✓ 7.17(10) Recommend to the Board policies relating to soliciting and securing gifts for the University's health-related institutions.

- c. Chapter I, Section 7, Subsection 7.191 (Duties of the Asset Management Committee) was amended to read as set forth below:

✓ 7.191 Consider and make recommendations to the Board on all matters relating to the investment and investment properties of the Permanent University Fund and all other assets managed by the Office of Asset Management.

- d. Chapter I, Section 7, Subsections 7.192 and 7.193 (Duties of the Asset Management Committee) was amended to read as set forth below:

✓ 7.192 Recommend to the Board policies relating to acceptance and management of gifts for all of the University's institutions, for gifts that are managed by the Office of Asset Management.

✓ 7.193 Make recommendations to the Board with respect to the acceptance of all proposed gifts and approval of other miscellaneous actions related to the administration of gifts managed by the Office of Asset Management, the terms of which do not conform to existing Board policies.

- e. Chapter I, Section 7, Subsection 7.194 (Duties of the Asset Management Committee) was amended and present Subsections 7.194 through 7.196 were renumbered as Subsections 7.195 through 7.197 as follows:

✓ 7.194 Periodically report to the Board on gifts managed by the Office of Asset Management.

✓ 7.195 Recommend to the Board appointments and dismissals of members of the Investment Advisory Committee and of investment consultants and advisors.

✓ 7.196 Periodically report to the Board on the investment operations of The University of Texas System.

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

- f. Chapter I, Section 8, Subsections 8.54 and 8.55 (Communications by and to the Board) was amended to read as set forth below:

✓ 8.54 A docket, to be entitled "Chancellor's Docket No. \_\_\_\_\_," composed of routine matters arising from System Administration and the component institutions, which are required to be reported to and/or approved by the Board in accordance with established policies of the Board, shall be prepared as directed and approved by the Chancellor, appropriate Executive Vice Chancellor, and Vice Chancellor, as appropriate. All docket items from the component institutions must be received by the System Administration not less than twenty-one days prior to the next regular scheduled meeting for inclusion on the docket for that meeting. The Chancellor's Docket shall be distributed by the Executive Secretary to all members of the Board ten days before the Board convenes, together with a ballot to be returned seven days thereafter. The ballot will read: "Approved, except as to the following items;" with space provided for listing the excepted items. All items not excepted by any Regent will be approved by the Board at its next meeting, without detailed consideration. Any excepted item listed by any Regent will be deferred and will be processed through the appropriate standing committee for consideration at the first regular meeting of the Board following action of the item by the appropriate standing committee.

✓ 8.55 A description of all matters to be considered by the Board or a standing committee of the Board at any meeting shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and to designated officials at least five days in advance of the meeting at which they are to be considered, and insofar as possible, such material shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and the designated officials at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the need for action thereon, and the recommendations of the Chancellor. Where contractual awards are involved, the summary shall show the method of competition, if any, the names and offers of all interested parties, and generally sufficient information to show the reasons for and fairness of each transaction. The recommendations of the Chancellor shall state whether they are fully concurred in by any Executive Vice Chancellor, Vice Chancellor or chief administrative officer involved, and if not, their views and recommendations shall be included. Any matter not sent to the members of the Board or

the members of a standing committee of the Board, documented as herein provided, at least five days in advance of the meeting at which it is to be considered, shall go over to the next meeting for consideration; provided, however, that if sufficient emergency exists requiring immediate action and it appears that the delay was unavoidable, this requirement may be waived by a two-thirds vote of the Board or a standing committee of the Board.

- g. Chapter II, Section 3, Subsection 3.26 (Purview and Primary Duties of the Chancellor) was amended to read as set forth below:

✓ 3.26 Preparing and approving appropriate recommendations to the Board and its standing committees along with the recommendation of the appropriate Executive Vice Chancellor, Vice Chancellor, as appropriate, or chief administrative officer of a component institution.

- h. Chapter II, Section 7, Subsection 7.2 (Duties and Responsibilities of the Vice Chancellor for Asset Management) was amended to read as set forth below:

✓ 7.2 Duties and Responsibilities.  
The Vice Chancellor for Asset Management has responsibility for the formal acceptance, following review and approval by the appropriate Executive Vice Chancellor, and the management of gifts as assigned, the management of trust and endowment lands and noncampus lands held in the name of the Board of Regents including the investment and management of trusts, trust assets, endowments, the Permanent University Fund and such other funds as may be assigned in such a manner as to maximize the monies available for excellence in all activities of the System. The Vice Chancellor for Asset Management will coordinate and cooperate with the Executive Vice Chancellor for Business Affairs in bringing to the Board recommendations on those policy issues which impact upon the asset management aspects of the Permanent University Fund Lands and shall provide to the Board of Regents through the Executive Vice Chancellor for Business Affairs an independent report and assessment of the System's ability to finance prospective debt issues. In consultation with the Chancellor, the Vice Chancellor for Asset Management shall prepare recommendations and supporting information on his or her responsibilities for consideration by the appropriate standing committees of the Board and the Board of Regents. The Vice Chancellor for Asset Management will coordinate and cooperate with the Office of General Counsel in the development and management of the Intellectual Property resources of the System.

Further, the Regents' Rules and Regulations, Part Two, were amended as set forth below:

- a. Present Chapter I, Section 1 (Gifts to The University of Texas System) was deleted in its entirety and replaced with Section 1 as set forth below:

✓ Sec. 1. Gifts to The University of Texas System.

- 1.1 The authority to accept gifts to the System or to any of the component institutions is vested in the Board.
- 1.2 Unless otherwise approved by the Board, all gifts to the System or any component institution shall be made in accordance with the provisions of the U. T. System Gifts Policy Guidelines and approved institutional policies.
- 1.3 The authority to accept the following gifts which conform to the U. T. System Gifts Policy Guidelines ("Gifts Policy Guidelines" or "Guidelines") and approved institutional policies is delegated to the chief administrative officer or a designee specified in writing:  
(a) unrestricted gifts having a value of less than \$500,000 (in cash or in kind) that are not managed by the Office of Asset Management and  
(b) restricted gifts having a value of less than \$50,000 (in cash or in kind) that are not managed by the Office of Asset Management.
- 1.4 The authority to accept all gifts of any value (either in cash or in kind) and to approve other administrative actions related to gifts that are managed by the Office of Asset Management (as set out in Part Two, Chapter IX) which conform to the Gifts Policy Guidelines is delegated to the Vice Chancellor for Asset Management or a designee specified in writing.
- 1.5 The acceptance of gifts and approval of other administrative actions related to gifts managed by the Office of Asset Management which conform to the Gifts Policy Guidelines shall be reported to the Board via the Docket or Agenda.
- 1.6 Recommendations regarding the acceptance of gifts or other actions which do not conform to the Guidelines shall be made through the Chancellor to the Board via the Agenda after review by the appropriate offices of the terms of the gifts, the nature of the donated assets and/or the requested action.
- 1.7 Gifts to Establish Endowments.  
1.71 Endowments will be established with gifts which have been completed for tax purposes or with a combination of such gifts and pledges at a minimum funding level of \$10,000. Endowments may be established to fund scholarship programs and other educational activities as well as the endowed academic positions specified in Section 3 below.

- 1.72 Should the Board determine at any time that an endowment fund is not of sufficient size and has no foreseeable prospects of growing to sufficient size to justify the continuing costs of maintenance of such fund as a separate fund, then in the Board's discretion the principal of such fund may be expended for or otherwise devoted to the accomplishment, as near as may be possible, of the purposes for which the fund was established.
- 1.8 Except as provided in this Subsection, the preceding Subsections, or approved institutional policies, no member of the staff of any institution has the authority to accept gifts.
- 1.9 Neither the System nor any of its component institutions will administer a gift for the benefit of any designated individual unless the donor is exempt from federal income taxes as defined by the Commissioner of Internal Revenue.
- 1.(10) Acceptance of all gifts of real estate shall be subject to the U. T. System Gifts Policy Guidelines and the Environmental Review Policy for Acquisitions of Real Estate. The Coordinating Board, for purposes of state funding, may review and approve as an addition to an institution's educational and general building and facilities inventory any improved real property acquired by gift or lease-purchase as provided in Section 61.058(d) of the Texas Education Code.
- 1.(11) Conduct Related to Gifts.
- 1.(11)1 The Board will not serve as executor or administrator of an estate because of the potential for conflicts of interest and the scope of the required duties.
- 1.(11)2 U. T. System and component institution employees who agree to serve as executor or administrator of a donor's estate which benefits a U. T. System component institution are immediately to notify the Office of Estates and Trusts of their appointment. Upon notification, the employee will be furnished a statement advising of the potential for conflicts of interest and directing that all communications pertaining to the estate between the employee and any office of the U. T. System or the component institutions shall be in writing.

- 1.(11)3 U. T. System and component institution employees should not knowingly act as witnesses to wills in which the U. T. System or a component institution is named as a beneficiary because their doing so may jeopardize the receipt of the bequest.
- 1.(11)4 Because of the potential for conflicts of interest, U. T. System and component institution employees who agree to serve as trustee of a trust benefiting a U. T. System component institution are immediately to notify the Office of Estates and Trusts of their appointment. Upon notification, the employee will be furnished with a statement advising of the potential for conflicts of interest and directing that all communications pertaining to the trust between the employee and any office of the U. T. System or the component institutions shall be in writing.
- 1.(11)5 Members of the Board are frequently persons of wide-ranging business interests. Therefore, a prudent, independent decision process may result in real estate transactions with or involving firms or organizations with whom a member of the Board is affiliated. Affiliation shall be interpreted within this Section to mean an employee, officer, director, or owner of five percent or more of the voting stock of a firm or organization. No member of the Board or employee of the Office of Asset Management may participate in any transaction with the U. T. System involving interests in real estate with which such Board member or employee is affiliated other than to convey a gift or bequest to the U. T. System.

b. Chapter I, Section 3, Subsection 3.1 (Endowment of Academic Positions) was amended to read as set forth below:

- 3.1 No endowment will be established or announced without prior approval by the Board, or its designee(s). No initial appointment will be made to an endowed chair or professorship without prior approval by the Board via the Docket. Subsequent new or continuing appointments to the endowed chair or professorship may be approved as a part of the annual operating budget or via the Chancellor's Docket. Appointments to endowed fellowships may be approved via the Chancellor's Docket, unless included as part of the annual budget approval process.

- c. Present Chapter I, Section 3, Subsection 3.3 (Endowment of Academic Positions) was deleted and present Subsection 3.4 was amended and renumbered as Subsection 3.3 to read as follows:

- ✓3.3 The six categories of endowed and named academic positions and the minimum funding levels to establish the positions are: Distinguished University Chairs (\$2,000,000), Distinguished Chairs (\$1,000,000), Chairs (\$500,000), Distinguished Professorships (\$250,000), Professorships (\$100,000), and Fellowships (\$50,000). All agreements related to endowed academic positions made prior to April 14, 1988, will remain in effect unless a specific request for change is made by the donor and the institution and approved by the Board.
- 3.31 Whether an endowment has attained the minimum funding level necessary to establish a particular academic position will be determined by the total market value of contributions to the endowment in the form of gifts from donors or transfers of institutional funds at the time the contribution is made. Funding levels will not be determined by the amount of net sale proceeds received from a non-cash gift or by the current market value of the investments held in an endowment.
- 3.32 With the specific approval of the Board, a named academic position may be established without the above minimum funding levels only in accordance with agreements recommended by the Chancellor, the appropriate Executive Vice Chancellor and the Vice Chancellor for Asset Management. Such agreements must contain the provisions outlined in Subsections 3.33 and 3.34 below.
- 3.33 If an external entity requests that the Board establish a named academic position based upon the entity's agreement to hold and manage an endowment fund supporting the position, the entity must irrevocably agree to dedicate the endowment to the support of the academic position in perpetuity or for a specified term of years. The entity must agree to adhere to Board policies regarding minimum funding levels for an endowment. The entity must agree to employ annual payout policies that are consistent with the goal of distributing from the endowment, or otherwise contributing to the institution, an annual payout amount substantially similar to that distributed from a comparable Board-managed endowment. The entity must agree that funds distributed from

the endowment shall be paid to the institution for further expenditure in accordance with Board policies. The Board must retain the right to appoint all holders of the academic position.

3.34 If an external entity requests that the Board establish a named academic position without the funding of an endowment to support the position, the entity must irrevocably agree to contribute annually, either in perpetuity or for a specified term of years, an amount substantially similar to that distributed from a Board-managed endowment in support of a comparable position. The entity must agree that the funds will be contributed for further expenditure in accordance with Board policies regarding the particular category of academic position being established. The Board must retain the right to appoint all holders of the academic position.

3.35 Distinguished University Chairs, Distinguished Chairs, Chairs, Distinguished Professorships, and Professorships.--The component institution will pay from its funds such amounts as are necessary to set the salary of the holder at a level commensurate with his or her record, experience, and position in the faculty. Distributions from the endowment may be used both for salary supplementation and for other professional support of the holder of the endowed position, including assistance in the holder's research. Endowment distributions also may be used to pay an appropriate part of the salary of the holder of the endowed position commensurate with an authorized reduced faculty work load when required by other duties of the position or when the holder is on part-time or full-time research leave which is otherwise unfunded. It is provided specifically, however, that, in no event, will endowment distributions be used to supplant any other source of funds used to pay the base salary of the holder of the position when the holder is performing his or her regular duties.

3.36 Endowed Fellowships.--Distributions from the endowment may be used to supplement the salary of the holder of the fellowship, who may be a qualified person of any academic rank irrespective of tenure status, and will also be available for other professional support of the holder. The

endowed fellowship will be used to provide temporary support (not to exceed one academic year) of distinguished scholars who are in temporary residence at the component while participating in planned academic programs; visiting scholars who are in temporary residence at the institution for special academic programs or purposes; component faculty who have made unique contributions to academic life or to knowledge in their academic discipline; and component faculty of any academic rank, irrespective of tenure status, who have been selected for teaching excellence through procedures established by the component institution. Grants for endowed visiting professorships and endowed teaching fellowships of at least \$50,000 already under contractual agreement for the future, bequests included in wills made prior to April 14, 1988, and other prior bona fide arrangements for endowed teaching fellowships and endowed visiting professorships are excepted in this regulation. Grants for endowed lectureships of at least \$20,000 already under contractual agreement for the future, bequests in wills made prior to April 14, 1988, and other prior bona fide arrangements for endowed lectureships are excepted from the minimum amount restriction in this regulation.

3.37

Individual component institutions are not required to utilize all categories of endowed academic positions and may, with advance administrative approval and inclusion in the institutional Handbook of Operating Procedures, limit institutional endowment activity to those position categories which best fit the component goals and mission.

- d. Chapter IX, Section 5, Subsections 5.1 and 5.2 (Policy for Investment and Management of Endowment and Trust Funds Invested Through or Separate from U. T. Investment Pools) was amended to read as set forth below:

- ✓ 5.1 Endowment funds and funds functioning as endowments will be managed in a manner consistent with the U. T. System Gifts Policy Guidelines, prudent person investment standards, and the Uniform Management of Institutional Funds Act (Title 10, Chapter 163, Texas Property Code). These funds will be managed separately and not commingled with

the Long Term Fund if the terms of the instrument by which the fund was created preclude investment through the Long Term Fund. In addition, nonmarketable securities held by an endowment fund may be recorded as separately invested. All other endowment funds and funds functioning as endowments will be invested through the Long Term Fund.

5.2

Trust funds and other life income accounts will be invested and administered consistent with the U. T. System Gifts Policy Guidelines, prudent person investment standards, and the Texas Trust Code (Title 9, Subtitle B, Texas Property Code).

See Page 64 related to the adoption of the U. T. System Gifts Policy Guidelines.

~~RECESS FOR COMMITTEE MEETINGS AND COMMITTEE REPORTS TO THE BOARD.--At 2:05 p.m., the Board recessed for the meetings of the Standing Committees, and Chairman Rapoport announced that at the conclusion of each committee meeting the Board would reconvene to approve the report and recommendations of that committee.~~

~~The meetings of the Standing Committees were conducted in open session and the reports and recommendations thereof are set forth on the following pages.~~

OFFICE OF THE BOARD OF REGENTS  
THE UNIVERSITY OF TEXAS SYSTEM  
BOX N - AUSTIN, TEXAS 78713-8914 (512) 499-4402

MEMORANDUM

May 30, 1995

**TO:** Those Who Receive RRR Amendments (List Attached)  
**FROM:** Art Dilly *AD*  
**SUBJECT:** Regents' Rules and Regulations, Part One - Amendments

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page iii	Page iii
Pages II-2, II-4, II-5, and II-9	Pages II-2, II-4, II-5, and II-9
Pages III-8, III-34, and III-35	Pages III-8, III-8a, III-34, and III-35
Pages VII-3, VII-6, and VII-13	Pages VII-3, VII-3a, VII-6, VII-6a, VII-13, and VII-13a
Page VIII-1	Page VIII-1

The amendments approved at the May 11, 1995 meeting of the U. T. Board of Regents, as well as editorial amendments, have been incorporated on the revised pages.

AD/cf

Enclosures

Distribution List for Official Copies of  
Regents' Rules and Regulations

Board of Regents	9
Office of the Board of Regents	3
Executive Associate for Economic Affairs	1
Legislative Budget Board	1
Governor's Budget and Planning Office	1
Publications Clearing House	1
State Auditor - U. T. Austin Representative	1
Legislative Reference Library	1
System Administration	9
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Business Affairs	
Executive Assistant to the Chancellor	
Vice Chancellor for Asset Management	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers of Component Institutions	15
Chief of Staff, Office of the Chancellor, Texas A&M University System (Lancaster)	<u>1</u>
<b>TOTAL</b>	<b>43</b>

**NOTE:** See July 6, 1988 letter (copy attached) from Coordinating Board which requests that only those amendments related to 1) academic workload and 2) faculty development leaves be sent to that office.

July 11, 1994

Addresses of State Officials Who Receive Copies  
of the Regents' Rules and Regulations

Governor's Budget and Planning Office  
711 Sam Houston Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Mr. John Keel  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
Two Commodore Plaza  
206 East 9th Street  
Suite 1900  
Austin, Texas 78701  
INTERAGENCY MAIL

Ms. Sally Reynolds  
Director  
Legislative Reference Library  
Room 207-B, Capitol Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

Dr. Kenneth H. Ashworth  
Commissioner, Texas Higher  
Education Coordinating Board  
7745 Chevy Chase Drive, Building 5  
Austin, Texas 78752  
INTERAGENCY MAIL

(NOTE: Send only when there are  
amendments related to 1) academic  
workload or 2) faculty development  
leaves.)

\*\*\*\*\*

Mr. W. C. Lancaster  
Chief of Staff  
Office of the Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117

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RULES AND REGULATIONS  
OF THE  
BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM  
FOR THE GOVERNMENT OF  
THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through May 11, 1995,  
and editorial amendments through May 1995  
have been issued with this cover sheet.)

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- 3.2 Purview and Primary Duties of the Chancellor.  
The Chancellor, by delegation from the Board, is authorized to exercise the powers and authorities of the Board in the governance of the System. The Chancellor will normally act through the officers of the System regarding the matters delegated to them by these Rules. The Chancellor, however, shall not be precluded from any direct participation and communication with System Administration officers or staff, institutional officers or staff, faculty members, and groups. The major duties of the Chancellor include:
- 3.21 Advising and counseling with the Board with respect to the policies, purposes, and goals of the System; acting as executive agent of the Board in implementing its policies and a system of internal controls; representing the System in all other respects as deemed appropriate to carry out such policies, purposes and goals, and interpreting and articulating the System's academic, administrative and developmental policies, programs, needs and concerns to the general public and to other constituencies at the community, state, regional and national levels.
  - 3.22 Preparing for recommendation to the Board a strategic plan for The University of Texas System, revised periodically, setting forth recommendations for academic programs, capital expenditures, and the allocation of other financial resources.
  - 3.23 Directing the management and administration of System Administration and all component institutions of the System.
  - 3.24 Presenting to the appropriate standing committees of the Board and to the Board nominations for all officers of the System, and for all officers of component institutions as provided in these Rules and Regulations.

and is responsible to the Chancellor. The Executive Vice Chancellor for Academic Affairs has direct access to the Board of Regents and is expected to work directly with the appropriate committees of the Board in discharging the duties of the office.

4.1 Appointment and Tenure.

The Executive Vice Chancellor for Academic Affairs shall be elected by an affirmative vote of a majority of the Regents in office upon nomination by the Chancellor. The Executive Vice Chancellor for Academic Affairs shall hold office without fixed term, subject to the pleasure of the Chancellor. The Chancellor's actions concerning the Executive Vice Chancellor for Academic Affairs are subject to review and approval by the Board.

4.2 Duties and Responsibilities.

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

5.1 Appointment and Tenure.

The Executive Vice Chancellor for Health Affairs shall be elected by an affirmative vote of a majority of the Regents in office upon nomination by the Chancellor. The Executive Vice Chancellor for Health Affairs shall hold office without fixed term, subject to the pleasure of the Chancellor. The Chancellor's actions concerning the Executive Vice Chancellor for Health Affairs are subject to review and approval by the Board.

5.2 Duties and Responsibilities.

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

- 6.2(14) Implementing policy for the receipt, disbursement, and custody of funds; for terms of depository agreements with banks; and for custody of bearer securities owned by System funds that are maintained in bank safety deposit boxes and are not in custody with the State Treasurer.
- 6.2(15) Forwarding debt issues for approval by the Board of Regents following the concurrence of the Vice Chancellor for Asset Management.
- 6.2(16) Implementing and monitoring appropriate internal controls in all internal administrative operations listed in 6.2(10).
- 6.2(17) Performing such other duties as may be assigned by the Chancellor.

Sec. 7. Vice Chancellor for Asset Management.

The Vice Chancellor for Asset Management has responsibility for the management of all investment, endowment, trust, and endowment real estate assets of the System. The Offices of Asset Management, Investments, Endowment Management and Administration, and Endowment Real Estate report to and are responsible to the Vice Chancellor for Asset Management. The Vice Chancellor for Asset Management reports to and is responsible to the Chancellor. The Vice Chancellor for Asset Management has direct access to the Board of Regents and is expected to work directly with the appropriate committees of the Board in discharging the duties of the office.

7.1 Appointment and Tenure.

The Vice Chancellor for Asset Management shall be elected by an affirmative vote of a majority of the Regents in office upon nomination by the Chancellor. The Vice Chancellor for Asset Management shall hold office without fixed term, subject to the pleasure of the Chancellor. The Chancellor's actions concerning the Vice Chancellor for Asset Management are subject to review and approval by the Board.

special approval has been granted by the chief administrative officer of the institution to designate the individual as an unclassified employee in such a position.

1.86

Honorific Titles.

- (a) Regental Professor. Any faculty member who is awarded the Nobel Prize or who has in the past been awarded the Nobel Prize may, upon recommendation of the chief administrative officer of the component institution, the appropriate Executive Vice Chancellor, and the Chancellor, be given the title Regental Professor. Because of the great honor associated with the award of a Nobel Prize, institutional tenure is awarded to Regental Professors by virtue of the appointment to this rank.
- (b) Distinguished Teaching Professor. Members of the U. T. Austin Academy of Distinguished Teachers or a similar approved academy may use the honorific title Distinguished Teaching Professor to recognize faculty members who have made significant contributions to education.

1.87

The following titles, which have been used in the past, shall not be used in the future:

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

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

if holding the other offices or positions is of benefit to the State of Texas or is required by state or federal law, and if there is no conflict between holding the office or position and holding the original office or position for which the member of the faculty or staff receives salary or compensation.

13.(11) Before a member of the faculty or staff may accept an offer to serve in other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States, the member of the faculty or staff must obtain from the appropriate administrative officials and the Board a finding via the docket that the requirements of this Section have been fulfilled, including the expected additional compensation to be received from such service.

13.(12) The chief administrative officer must keep a record of compensation received from additional state or federal employment, or both, including specifically: salary, bonuses, and per diem or other type of compensation.

Sec. 14. Holidays.--All faculty, classified and other nonteaching personnel are entitled to such holidays as are provided by the Legislature in the then current Appropriations Bill and as are approved annually by the appropriate Executive Vice Chancellor and the Chancellor or alternate holidays approved in the official calendars of the various institutions by the appropriate Executive Vice Chancellor and the Chancellor. (See the Classified Personnel rules in the institutional Handbook of Operating Procedures.)

Sec. 15. Vacation.

15.1 Vacations for faculty on twelve-month appointments, classified personnel and nonteaching personnel shall be as provided by state law. Vacations for hourly and part-time employees shall be on a percentage basis for the time appointed. (See the Classified Personnel rules in the institutional Handbook of Operating Procedures.)

- 15.2 An employee who resigns, is dismissed, or separates from university employment shall be entitled to be paid in "lump sum" for all vacation leave entitlement duly accrued at the date of termination provided the employee has had continuous employment with the state for six months. The payment shall be calculated at the rate of compensation being paid the employee at the time of termination.
- 15.3 In the case of death of an employee who has accumulated vacation leave, his or her estate will be paid for all accumulated vacation leave. The payment shall be calculated at a rate of compensation being paid the employee at the time of his or her death.

Sec. 16. Leaves of Absence Without Pay.

- 16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff.
- 16.2 The maximum period for which a leave of absence will be granted is the end of the fiscal year in which the leave begins. In the case of faculty, the date for return to duty will generally coincide with the beginning of the next semester, following the period of absence. In normal circumstances, leaves for up to one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements. The first period of leave of absence may be approved, subject to the general conditions included herein, by the chief administrative officer. Requests for second and/or third year leaves under this section must be submitted to the appropriate Executive Vice Chancellor and to the U. T. Board of Regents for approval via the docket.
- 16.3 Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity that reflects credit on the institution and enhances an individual's ability to make subsequent contributions to the institution, a second consecutive year of leave will not be granted.

- 2.3 Composition and Operation of the Component Institution Development Board.--The component institution development board shall consist of members recommended and appointed by the chief administrative officer of each component institution with final review and approval of the membership delegated by the Board of Regents to the Chancellor following consultation with the appropriate Executive Vice Chancellor. Chief administrative officers shall adopt guidelines for the appointment and/or reappointment of the members of the component institution development board. The guidelines shall make clear each individual's term of office and the expectations and responsibilities of membership. Consideration shall be directed to appropriate balance in board membership, including concerns relating to gender, ethnicity, range of experience, geographical distribution, and the special needs of the institution and the board. Component institutions shall forward an accurate roster of development board membership to the Chancellor via the Vice Chancellor for Development and External Relations no later than July 15 of each year. All terms shall officially begin on September 1. Official rosters of board membership shall be maintained in the Office of the Board of Regents and in the Offices of the Chancellor, the Executive Vice Chancellors for Academic Affairs and Health Affairs, and the Vice Chancellor for Development and External Relations. The chief administrative officer and the Chancellor (or his or her delegate) shall be ex officio members with voting privileges. The component institution development board will elect a Chairman and such other officers as are appropriate from among its membership.
- 2.4 General Policies of the Component Institution Development Boards:
- 2.41 A component institution development board shall seek to enlist the aid of numerous friends of the institution in fund-development efforts, and may establish such committees and other groups as seem desirable in carrying out its program.

- 2.42 A component institution development board shall serve the individual component institution of the System to coordinate and assist in the plans and programs of that component institution with consideration of development interests of all component institutions in the System.
- 2.43 A component institution development board will work closely with the internal foundations of the component institutions. No internal foundations shall be established or continued in existence except

advisory council dedicated to its own unique interests. Such an advisory council is responsible through the dean or director to the chief administrative officer of the component and through him or her to the component institution development board for all private funds developed for that school, college, or comparable unit. Each advisory council shall determine its development needs and shall direct the formulation of plans and the promotion of support for its programs.

- 3.12 An advisory council shall consist of members recommended by the dean or director of the school, college, or other approved unit and appointed by the chief administrative officer of the component institution with final approval of the membership delegated by the Board of Regents to the Chancellor following consultation with the appropriate Executive Vice Chancellor. Chief administrative officers shall, in consultation with the dean or director of the school, college, or other approved unit, adopt guidelines for the appointment and/or reappointment of the members of the component's advisory council(s). The guidelines shall make clear each individual's term of office and the expectations and responsibilities of membership. Consideration shall be directed to appropriate balance in advisory council membership, including concerns relating to gender, ethnicity, years of involvement or experience with the college, school, or unit, geographical distribution, and the special needs of the school, college, or unit. Component institutions shall forward

accurate rosters of advisory council membership(s) to the Chancellor via the Vice Chancellor for Development and External Relations no later than July 15 of each year. All terms shall officially begin on September 1. Official rosters of advisory council membership shall be maintained in the Office of the Board of Regents and in the Offices of the Chancellor, the Executive Vice Chancellors for Academic Affairs and Health Affairs, and the Vice Chancellor for Development and External Relations. The chief administrative officer of the component institution shall be an ex officio member of the component institution's advisory councils.

3.13 An advisory council may elect a chairman and other such officers as are appropriate from among its membership. The dean or director, and the chief administrative officer of the component institution, or his or her delegate shall be ex officio members with voting privileges.

3.2 Duties and Responsibilities:

3.21 An advisory council shall seek to enlist the aid of numerous friends of the school, college, or comparable unit in fund-development efforts, and may establish such committees and other groups as seem desirable in carrying out its programs.

3.22 An advisory council shall recommend through the dean or director or the component chief

<u>Foundation</u>	<u>Date Established</u>
The University of Texas - Pan American Bronc Foundation	10/7/94
The University of Texas of the Permian Basin Falcon Athletic Club Foundation	5/11/95

Sec. 5. Trust Foundations.

If accepted by the Board, foundations created by testamentary or inter vivos trust instruments are administered by the Board of Regents, the Chancellor, and the appropriate component chief administrative officer through the Office of Asset Management in accordance with the terms of the instrument creating the foundation. Foundations in this category are internal in the sense that they are controlled by the Board of Regents as trustee and the assets are carried in University accounts. The following trust foundations are presently being administered:

<u>Trust Foundation</u>	<u>Date Accepted</u>
Hogg Foundation for Mental Health	7/16/39
Winedale Stagecoach Inn Fund*	3/25/65
Robertson Poth Foundation	12/31/67

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\*Although this trust does not contain the word "foundation" in its name, it is similar in all respects to the other trusts in this category.

Sec. 6. Internal Corporations.

- 6.1 Definition.--As used in this Chapter, the term "internal corporation" means a nonprofit corporation chartered under the laws of the State of Texas:
- (1) under the Charter of which, the Board of Regents:
    - (a) acts as the Board of Directors or has the authority to appoint (or to approve or reject the appointment of) the Board of Directors; and
    - (b) has the authority to approve amendments to the charter and bylaws; and
  - (2) the funds of which are deposited and accounted for in appropriate University accounts.

CHAPTER VIII

MISCELLANEOUS

Sec. 1. Naming of Buildings and Other Facilities.

- 1.1 Naming of Buildings.--Buildings of the System and its component institutions shall not be named in honor of any person until such person shall have been deceased at least five years. Recommendations to the Board of Regents regarding naming of buildings by the Chancellor, appropriate Executive Vice Chancellor and chief administrative officer shall be accompanied by reasons including appropriate input from the institutional faculty; provided, however, that the Board may act without receiving such recommendation when unusual circumstances justify such action and particularly when a substantial donation has been made toward the construction of the building to be named.
- 1.2 Naming of Facilities Other than Buildings.--Facilities other than buildings (e.g. laboratories, classrooms, seminar rooms, auditoria, concert halls, clinics, and patient rooms) may be named to memorialize and otherwise recognize substantial and significant donors, individuals designated by donors, or individuals who have made other significant contributions to the institution. Recommendations by the Chancellor, appropriate Executive Vice Chancellor and the chief administrative officer regarding the naming of such facilities shall be submitted to the Board of Regents for approval via the docket.
- 1.3 Naming of Facilities as Part of Special Private-Fund Development Campaigns.--When the naming of facilities other than buildings is contemplated as a part of a special private-fund development campaign, that campaign shall have prior approval of the appropriate Executive Vice Chancellor, the Chancellor and the

MINUTES  
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2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval to Amend Chapter II, Section 3, Subsection 3.21 (Purview and Primary Duties of the Chancellor); Section 4, Subsection 4.2 (Duties and Responsibilities of the Executive Vice Chancellor for Academic Affairs); Section 5, Subsection 5.2 (Duties and Responsibilities of the Executive Vice Chancellor for Health Affairs); and Section 6, Subsections 6.2(16) and 6.2(17) (Duties and Responsibilities of the Executive Vice Chancellor for Business Affairs) to Add the Responsibilities for Internal Controls.--In July 1994, the Committee Revising Internal Controls prepared The University of Texas System Action Plan to Enhance Internal Controls through Awareness, Accountability and Audit Committees. As part of the Action Plan, a review of the Regents' Rules and Regulations was performed to ensure that the role of the U. T. Board of Regents and the U. T. System administrative leadership recognizes and emphasizes the responsibility to establish and maintain an effective internal control system.

In order to reflect the administrative leadership's responsibility in implementing and monitoring internal controls, the Board amended Chapter II of Part One of the Regents' Rules and Regulations as follows:

a. Section 3, Subsection 3.21 (Purview and Primary Duties of the Chancellor) was amended to read as set forth below:

Sec. 3. Chancellor.

3.21 Advising and counseling with the Board with respect to the policies, purposes, and goals of the System; acting as executive agent of the Board in implementing its policies and a system of internal controls; representing the System in all other respects as deemed appropriate to carry out such policies, purposes and goals, and interpreting and articulating the System's academic, administrative and developmental policies, programs, needs and concerns to the general public and to other constituencies at the community, state, regional and national levels.

b. Section 4, Subsection 4.2 (Duties and Responsibilities of the Executive Vice Chancellor for Academic Affairs) was amended to read as set forth below:

Sec. 4. Executive Vice Chancellor for Academic Affairs.

4.2 Duties and Responsibilities.  
The Executive Vice Chancellor for Academic Affairs shall have as a prime responsibility the maintenance of high academic quality in the general academic components of the System. Through the chief

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

- c. Section 5, Subsection 5.2 (Duties and Responsibilities of the Executive Vice Chancellor for Health Affairs) was amended to read as set forth below:

Sec. 5. Executive Vice Chancellor for Health Affairs.

5.2 Duties and Responsibilities.

The Executive Vice Chancellor for Health Affairs shall have as a prime responsibility the maintenance of high academic quality in the health-related teaching institutions and high quality health services in the health-care delivery institutions of the System. The Board through its policies, procedures, and Rules and Regulations maintains its governance responsibilities, and acknowledges the importance of maintaining accreditation for hospital, clinic and other patient-care facilities. Because of the complexity and diversity of the System, the Executive Vice Chancellor for Health

5/15/16  
J. [unclear]

Affairs is delegated the responsibility for ensuring the governance requirements for accreditation not specifically covered elsewhere in these policies, procedures, and Rules and Regulations are met. The Executive Vice Chancellor for Health Affairs will report the accreditation status to the Board on a periodic basis. Through the chief administrative officers of the component institutions, he or she shall have responsibility for the budgets, academic planning and programs, facilities planning and construction, and personnel (both academic and nonacademic) of those components. In consultation with the Chancellor, the Executive Vice Chancellor for Health Affairs shall prepare recommendations and supporting information on such matters for consideration by the appropriate standing committees of the Board and the Board of Regents. The Executive Vice Chancellor for Health Affairs is responsible and accountable for ensuring that appropriate internal controls are implemented and monitored in the health-related teaching institutions and the health-care delivery institutions.

- d. Section 6, Subsections 6.2(16) and 6.2(17) (Duties and Responsibilities of the Executive Vice Chancellor for Business Affairs) was amended to read as set forth below:

Sec. 6. Executive Vice Chancellor for Business Affairs.

6.2 Duties and Responsibilities.

- 6.2(16) Implementing and monitoring appropriate internal controls in all internal administrative operations listed in 6.2(10).
- 6.2(17) Performing such other duties as may be assigned by the Chancellor.

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 156 - 193).--In the absence of Committee Chairman Lebermann who was excused because of a previous commitment, Regent Temple reported that the Academic Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

- 5/11/95  
minutes
1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 1, Subsection 1.8, Subdivision 1.86 (Appointments).--Upon recommendation of the Academic Affairs Committee, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 1, Subsection 1.8, Subdivision 1.86, regarding honorific titles by adding paragraph (b) as set forth below:

Sec. 1. Appointments.

1.86 Honorific Titles.

- (a) Regental Professor. Any faculty member who is awarded the Nobel Prize or who has in the past been awarded the Nobel Prize may, upon recommendation of the chief administrative officer of the component institution, the appropriate Executive Vice Chancellor, and the Chancellor, be given the title Regental Professor. Because of the great honor associated with the award of a Nobel Prize, institutional tenure is awarded to Regental Professors by virtue of the appointment to this rank.
- (b) Distinguished Teaching Professor. Members of the U. T. Austin Academy of Distinguished Teachers or a similar approved academy may use the honorific title Distinguished Teaching Professor to recognize faculty members who have made significant contributions to education.

This amendment to the Regents' Rules and Regulations adds an honorific academic title of Distinguished Teaching Professor for initial use at The University of Texas at Austin to recognize faculty members who will be selected to serve in the newly established Academy of Distinguished Teachers.

2. U. T. System: Approval of Amendments to the Minimum Faculty Teaching Requirement (Faculty Workload) Policy (Retitled Minimum Faculty Teaching Requirements) for General Academic Institutions.--The Board, upon recommendation of the Academic Affairs Committee:
  - a. Retitled The University of Texas System Minimum Faculty Teaching Requirement (Faculty Workload) policy for the general academic institutions as Minimum Faculty Teaching Requirements

U. T. BOARD OF REGENTS: APPROVAL OF MINUTES OF REGULAR MEETING HELD ON FEBRUARY 9, 1995, AND SPECIAL MEETING HELD ON MARCH 10, 1995.--Upon motion of Regent Temple, seconded by Regent Loeffler, the Minutes of the regular meeting of the Board of Regents of The University of Texas System held on February 9, 1995, in Austin, Texas, were approved as distributed by the Executive Secretary. The official copy of these Minutes is recorded in the Permanent Minutes, Volume XLII, Pages 1066 - 1866.

Upon motion of Regent Evans, seconded by Regent Temple, the Minutes of the special meeting of the Board of Regents of The University of Texas System held on March 10, 1995, in Austin, Texas, were approved as distributed by the Executive Secretary. The official copy of these Minutes is recorded in the Permanent Minutes, Volume XLII, Pages 1867 - 1869.

#### SPECIAL ITEMS

- MINUTES  
5/11/95
1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendments to Chapter VII, Section 2, Subsection 2.3 (Composition and Operation of the Component Institution Development Board) and Section 3, Subsection 3.12 (The Advisory Councils of a Component Institution) and Delegation to the Chancellor for Final Approval of Membership of Component Development Boards and Advisory Councils.--In accordance with the recommendations of The University of Texas System Process Review Committee, the Board, at its meeting in December 1994, adopted procedural changes in the approval process for members of component development boards and advisory councils and delegated the final approval of the membership of the U. T. System development boards and advisory councils to the Chancellor following consultation with the appropriate Executive Vice Chancellor.

In order to reflect these actions, the Board amended the Regents' Rules and Regulations, Part One, Chapter VII, Section 2, Subsection 2.3 and Section 3, Subsection 3.12, regarding the composition and operation of component development boards and advisory councils to read as set forth below:

- 2.3 Composition and Operation of the Component Institution Development Board.--The component institution development board shall consist of members recommended and appointed by the chief administrative officer of each component institution with final review and approval of the membership delegated by the Board of Regents to the Chancellor following consultation with the appropriate Executive Vice Chancellor. Chief administrative officers shall adopt guidelines for the appointment and/or reappointment of the members of the component institution development board. The guidelines shall make clear each individual's term of office and the expectations and responsibilities of membership. Consideration shall be directed to appropriate balance in board membership, including concerns relating to gender, ethnicity, range of experience, geographical distribution, and the special needs of the institution and the board. Component institutions shall forward an accurate roster of development board membership to the Chancellor via the Vice
- 2.3  
OK  
5/11/95

Chancellor for Development and External Relations no later than July 15 of each year. All terms shall officially begin on September 1. Official rosters of board membership shall be maintained in the Office of the Board of Regents and in the Offices of the Chancellor, the Executive Vice Chancellors for Academic Affairs and Health Affairs, and the Vice Chancellor for Development and External Relations. The chief administrative officer and the Chancellor (or his or her delegate) shall be ex officio members with voting privileges. The component institution development board will elect a Chairman and such other officers as are appropriate from among its membership.

- 3.12 An advisory council shall consist of members recommended by the dean or director of the school, college, or other approved unit and appointed by the chief administrative officer of the component institution with final approval of the membership delegated by the Board of Regents to the Chancellor following consultation with the appropriate Executive Vice Chancellor. Chief administrative officers shall, in consultation with the dean or director of the school, college, or other approved unit, adopt guidelines for the appointment and/or reappointment of the members of the component's advisory council(s). The guidelines shall make clear each individual's term of office and the expectations and responsibilities of membership. Consideration shall be directed to appropriate balance in advisory council membership, including concerns relating to gender, ethnicity, years of involvement or experience with the college, school, or unit, geographical distribution, and the special needs of the school, college, or unit. Component institutions shall forward accurate rosters of advisory council membership(s) to the Chancellor via the Vice Chancellor for Development and External Relations no later than July 15 of each year. All terms shall officially begin on September 1. Official rosters of advisory council membership shall be maintained in the Office of the Board of Regents and in the Offices of the Chancellor, the Executive Vice Chancellors for Academic Affairs and Health Affairs, and the Vice Chancellor for Development and External Relations. The chief administrative officer of the component institution shall be an ex officio member of the component institution's advisory councils.

2. U. T. System: Adoption of Change in Regents' Policy Concerning Settlement of Claims and Litigation. --To avoid delays in obtaining settlement approval which could potentially jeopardize early settlement of meritorious cases, the Board unanimously agreed to increase the monetary limits for the settlement authority regarding claims and litigation that was delegated to The University of Texas System Administration through the U. T. Board of Regents' action in October 1978, and amended in October 1985, as set forth on Page 4.

This 36 credit hour graduate program will be administered by the faculty of Criminology and Sociology in the Department of Behavioral Science at U. T. Permian Basin and is designed to provide students with a professional understanding of Criminal Justice Administration. The primary objective of the degree is to provide advanced education in areas directly relating to applied criminal justice research. The program is designed to provide individuals with advanced training for career positions and also to provide students with necessary research skills and background to facilitate subsequent entry into a doctoral program at another university.

The University currently has five full-time faculty members with appropriate terminal degrees for teaching in this program and students will be able to draw upon general administration theory through the graduate-level courses in business administration.

The University estimates that the total cost for five years will be just over \$200,000. Most of this cost is associated with employing one additional faculty member beginning in the third year. The cost for the first two years is estimated to be \$26,800. With the large anticipated first enrollments, the relatively low costs are expected to be met by appropriated funds from formulas.

Upon Coordinating Board approval, the next appropriate catalog published at U. T. Permian Basin will be amended to reflect this action.

10. U. T. Permian Basin: Establishment of the Falcon Athletic Club; Approval to Amend the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3, Subdivision 4.33 (Internal Foundations) to Include the Falcon Athletic Club; and Establishment of the Falcon Athletic Club Advisory Council.--In order to provide The University of Texas of the Permian Basin with oversight and consistent, internal control of fund raising for athletic programs, the Board, upon recommendation of the Academic Affairs Committee:

- a. Approved the resolution set out on Page 190 creating the Falcon Athletic Club as an internal foundation to benefit the athletic program at U. T. Permian Basin in accordance with the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3 (Internal Foundations)
- b. Authorized the Executive Secretary to the U. T. Board of Regents to add the foundation to the list of approved internal foundations set out in the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3, Subdivision 4.33
- c. Established the Falcon Athletic Club Advisory Council pursuant to the Regents' Rules and Regulations, Part One, Chapter VII, Section 3.

5/11/95  
minutes

Copy  
of  
CF  
KLP

In an effort to increase student enrollment and, thereby, to enhance its ability to provide quality academic programs, U. T. Permian Basin began the development of an athletic program in the Fall Semester 1994 using funds generated by an increase in the Compulsory Student Services Fee. In this introductory phase of the athletic program, Women's Volleyball and Men's Soccer were initiated and offered at the club level. Club-level participation does not require that U. T. Permian Basin join any associations, but competitive opportunities are very limited. Therefore, in keeping with its initial plans, U. T. Permian Basin applied for membership in the National Association of Intercollegiate Athletics (NAIA) as an independent. Beginning with the Fall Semester 1995, Women's Volleyball will compete at the NAIA level, Men's Soccer will remain at the club level, and a new program in Women's Fast Pitch Softball will be initiated at the club level.

RESOLUTION OF THE BOARD OF REGENTS  
OF THE UNIVERSITY OF TEXAS SYSTEM

WHEREAS, There exists a clear and specific need for means to finance the program of the Department of Athletics of The University of Texas of the Permian Basin, in addition to the regular budgetary provisions; and

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

IT IS NOW RESOLVED, That the Board of Regents of The University of Texas System hereby establishes the Falcon Athletic Club of the Department of Athletics of The University of Texas of the Permian Basin.

AND FURTHER, That the purpose of the said Club shall be to foster the understanding and development of the programs of the Department of Athletics at The University of Texas of the Permian Basin, and to encourage the making of gifts to the Club by deed, grant, will or otherwise for any purpose appropriate to the work of the Club.

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

1. The unrestricted funds of the Club shall be devoted to the enrichment of the programs of the Department of Athletics of The University of Texas of the Permian Basin and shall not be used for the ordinary operating expenses of the Department of Athletics.

2. A donation to the Club may be made for a specific purpose and may be given in the name of the donor or other designation as specified by the donor or may be given as unrestricted funds. Gifts which meet or exceed the minimum endowment requirements of the Board of Regents may be presented for acceptance by the Board as permanently endowed funds for support of the Department of Athletics of The University of Texas of the Permian Basin.

3. The Board of Regents shall hold, manage, control, sell, exchange, lease, convey, mortgage or otherwise encumber, invest or reinvest, and generally shall have the power to dispose of in any manner and for any consideration and on any terms the said gifts, funds, or property in their discretion and shall from time to time pay out of the income, or if the income be insufficient, out of the principal, all expenses of the trust and all expenditures incurred in furthering the purposes of the trust.

4. Neither any donation to the Falcon Athletic Club nor any fund or property arising therefrom in whatever form it may take shall ever be any part of the Permanent University Fund nor shall the Legislature have power or be in any way authorized to change the purposes thereof or to divert such donation, fund or property from those designated purposes.

5. As in the case of other University funds, authorization for expenditure of all funds from the Athletic Club shall be vested in the Board of Regents and recommendations for such expenditures shall be made by the President of The University of Texas of the Permian Basin through the Executive Vice Chancellor for Academic Affairs to the Chancellor and by the Chancellor to the Board of Regents of The University of Texas System.

OFFICE OF THE BOARD OF REGENTS

THE UNIVERSITY OF TEXAS SYSTEM

BOX N - AUSTIN, TEXAS 78713-7328 (512) 499-4402

UT SYSTEM-ACADEMIC AFFAIRS

MEMORANDUM

REC'D	JAN 13 1995
TO _____	FOR INFO RETURN
NO _____	PLEASE ADVISE ME
TO _____	PLEASE HANDLE

January 13, 1995

BOARD OF REGENTS
RECEIVED
FEB 23 1995
U.T. SYSTEM



TO: Mrs. Francie Frederick  
Dr. Bob Inge

FROM: Art Dilly *AD*

SUBJECT: Editorial Amendments to the Regents' Rules and Regulations

As a result of recommendations from the Lebermann Committee, the Board agreed in December that the approval of (1) second/third year leaves of absence, (2) dual positions, (3) naming of facilities other than buildings, and (4) logos, colors, and mascots could be processed via the Docket.

On the attached excerpts from the Regents' Rules and Regulations I have noted the minor amendments which I plan to make editorially at the first opportunity. Please advise if you have a problem with these.

Thanks.

AD/lp  
Attachments

*Large - no changes @  
AID 2/23/95*

*GPD - these  
all look ok  
to me w!  
one addition  
at dig  
7  
1-17-95*

RRR  
PART ONE  
CH. III

if holding the other offices or positions is of benefit to the State of Texas or is required by state or federal law, and if there is no conflict between holding the office or position and holding the original office or position for which the member of the faculty or staff receives salary or compensation.

13.(11)

Before a member of the faculty or staff may accept an offer to serve in other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States, the member of the faculty or staff must obtain from the appropriate administrative officials and the Board a finding that the requirements of this Section have been fulfilled, including the expected additional compensation to be received from such service. ~~The finding of the Board shall be recorded in the official minutes of the meeting of the Board at which approval was granted.~~

VIA THE  
DOCKET

13.(12)

The chief administrative officer must keep a record of compensation received from additional state or federal employment, or both, including specifically: salary, bonuses, and per diem or other type of compensation.

Sec. 14. Holidays.--All faculty, classified and other nonteaching personnel are entitled to such holidays as are provided by the Legislature in the then current Appropriations Bill and as are approved annually by the appropriate Executive Vice Chancellor and the Chancellor or alternate holidays approved in the official calendars of the various institutions by the appropriate Executive Vice Chancellor and the Chancellor. (See the Classified Personnel rules in the institutional Handbook of Operating Procedures.)

Sec. 15. Vacation.

15.1

Vacations for faculty on twelve-month appointments, classified personnel and nonteaching personnel shall be as provided by state law. Vacations for hourly and part-time employees shall be on a percentage basis for the time appointed. (See the Classified Personnel rules in the institutional Handbook of Operating Procedures.)

Editorial Amendment  
Issued May 1990

RRR  
PART ONE  
CA. III

- 15.2 An employee who resigns, is dismissed, or separates from university employment shall be entitled to be paid in "lump sum" for all vacation leave entitlement duly accrued at the date of termination provided the employee has had continuous employment with the state for six months. The payment shall be calculated at the rate of compensation being paid the employee at the time of termination.
- 15.3 In the case of death of an employee who has accumulated vacation leave, his or her estate will be paid for all accumulated vacation leave. The payment shall be calculated at a rate of compensation being paid the employee at the time of his or her death.

Sec. 16. Leaves of Absence Without Pay.

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

16.2 The maximum period for which a leave of absence will be granted is the end of the fiscal year in which the leave begins. In the case of faculty, the date for return to duty will generally coincide with the beginning of the next semester, following the period of absence. In normal circumstances, leaves for up to one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements. The first period of leave of absence may be approved, subject to the general conditions included herein, by the chief administrative officer. Requests for additional leave under this section must be submitted to the U. T. Board of Regents for approval VIA THE DOCKET.

OK/a  
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E.V.C.  
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16.3 Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity that reflects credit on the institution and enhances an individual's ability to make subsequent contributions to the institution, a second consecutive year of leave will not be granted.

OK/a  
second  
and/or  
third year  
leaves

Stamp: RECEIVED  
UNIVERSITY OF TEXAS  
AT AUSTIN  
OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER  
10/15/93

RRR  
PART ONE  
CHAPTER VIII

## MISCELLANEOUS

Sec. 1. Naming of Buildings and Other Facilities.

- 1.1 Naming of Buildings.--Buildings of the System and its component institutions shall not be named in honor of any person until such person shall have been deceased at least five years. Recommendations to the Board of Regents regarding naming of buildings by the Chancellor, appropriate Executive Vice Chancellor and chief administrative officer shall be accompanied by reasons including appropriate input from the institutional faculty; provided, however, that the Board may act without receiving such recommendation when unusual circumstances justify such action and particularly when a substantial donation has been made toward the construction of the building to be named.
- 1.2 Naming of Facilities Other than Buildings.--Facilities other than buildings (e.g. laboratories, classrooms, seminar rooms, auditoria, concert halls, clinics, and patient rooms) may be named to memorialize and otherwise recognize substantial and significant donors, individuals designated by donors, or individuals who have made other significant contributions to the institution. Recommendations by the Chancellor, appropriate Executive Vice Chancellor and the chief administrative officer regarding the naming of such facilities shall be submitted to the Board of Regents for approval. *DOCKET VIA THE*
- 1.3 Naming of Facilities as Part of Special Private-Fund Development Campaigns.--When the naming of facilities other than buildings is contemplated as a part of a special private-fund development campaign, that campaign shall have prior approval of the appropriate Executive Vice Chancellor, the Chancellor and the

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

MEMORANDUM

December 21, 1994

**TO:** Those Who Receive RRR Amendments (List Attached)  
**FROM:** Art Dilly *AD*  
**SUBJECT:** Regents' Rules and Regulations, Part One - Amendments

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Pages III-12 and III-37	Pages III-12 and III-37
Pages IV-2 and IV-3	Pages IV-2 and IV-3

The amendments approved at the December 1, 1994 meeting of the U. T. Board of Regents, as well as editorial amendments, have been incorporated on the revised pages.

AD/lp

Enclosures

RULES AND REGULATIONS  
OF THE  
BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM  
FOR THE GOVERNMENT OF  
THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through December 1, 1994,  
and editorial amendments through December 1994  
have been issued with this cover sheet.)

---

- actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by the component institution's Director of Human Resources/Personnel in the case of classified employees or the chief administrative officer in the case of faculty or nonclassified employees.
- 5.32 If the appointment, reappointment, or promotion of a person places him or her in an administrative or supervisory position with responsibility to approve, recommend or otherwise act with regard to the appointment, promotion, or salary of a person who is related to them within the degree prohibited by the Texas Government Code, all subsequent actions regarding the reappointment, promotion, or salary of such person shall be made by the next highest administrator or supervisor at the component institution or The University of Texas System.
- 5.33 It shall be the responsibility of the administrator or supervisor acting pursuant to Subdivisions 5.31 or 5.32 to make a written review of the work performance of such person at least annually and to submit such review to the next highest administrator or supervisor at the component institution or The University of Texas System.
- 5.34 The provisions of Subdivision 5.31 shall apply to situations where two employees of the System marry and one spouse is the administrative supervisor of the other.
- 5.35 All situations covered by Subdivision 5.31 shall be reported annually through the institution's docket or with the annual operating budget.

Editorial Amendment  
Issued December 1994

Sec. 21. Leave for Jury Duty.--Necessary time off for jury duty is allowed without loss of pay or vacation leave.

Sec. 22. Absence from Usual and Regular Duties.

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

22.11 When such absence is on state business, and

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

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

22.2 Permission to be absent from usual and regular duties shall be obtained as prescribed in institutional regulations.

Sec. 23. Authorization to Travel.

23.1 Authorization to travel will be granted only as specified in Section 10, Chapter III of Part Two.

23.2 A faculty or staff member whose usual duties do not require travel shall not be absent from the regular place of work and usual duties except with permission of the chief administrative officer or designee.

Sec. 24. Compensation for Correspondence and Extension Teaching.-- Full-time employees on twelve (12) month appointments may receive additional compensation for correspondence course and/or extension center teaching, but may not receive additional compensation for summer school teaching. Full-time employees on nine (9) month appointments may receive additional compensation for correspondence course and/or extension center teaching during the nine (9) month period and also may be paid for summer school teaching. Compensation rates for correspondence course and extension center teaching shall be paid at rates set from year to year by the chief administrative officer and approved via the operating budget approval process.

- 2.14 Honors and scholastic performance generally.
- 2.15 Approval of candidates for degrees.
- 2.16 Faculty rules of procedure.
- 2.2 Necessity of Approval by Regents.--Legislation recommended by an institutional faculty, or legislative body thereof, requiring approval of the Board, shall not be effective unless and until approved by the Board. Such legislation by a college or school faculty shall not be presented to the Board until it has been approved by the institutional faculty, either directly or through its legislative body, and has received the consideration and recommendation of the appropriate chief administrative officer(s), the appropriate Executive Vice Chancellor, and the Chancellor. The faculty affected will be notified by the Board, through administrative channels, of its action on recommended faculty legislation.
- 2.3 When Legislation is Effective.--Except where the Board has specifically authorized procedure for placing into effect emergency faculty legislation without prior Board approval, institutional faculty legislation shall become effective only upon approval by the Board or at such later time as the Board shall specify. The secretary of the institutional faculty shall be notified of Board action, and notice of such action shall be included in the official minutes of the faculty.
- 2.4 Approval of Degree Candidates.--It shall be the duty of the several institutional faculties to recommend approval or disapproval of all candidates for degrees. This duty may be delegated by affirmative vote of the institutional faculty, or its legislative body, to the respective deans or other appropriate official. Should this duty not be delegated, then the institutional registrar, or his or her equivalent, shall furnish to the members of the institutional faculty a complete list of the degree candidates for recommendation.

- 2.5 List of Degree Candidates in Minutes.--The institutional registrar, as soon as possible after each commencement, shall provide the secretary of his or her institutional faculty, or its legislative body, with a complete list of all successful degree candidates.
- 2.6 Changes in Degree Requirements.--Changes in degree requirements shall not become effective until approved by the Board and published in the appropriate catalogue; provided, however, that students may be given the benefit of any action reducing or modifying the requirements for their degree immediately upon Board approval.
- 2.7 Faculty Minutes.--Copies of institutional faculty minutes, or of their legislative bodies, shall be available for use of members of the particular faculties individually, if desired; and shall be filed (1) in the offices of the secretaries to the faculty, (2) in the office of the chief administrative officers, (3) in the office of the appropriate Executive Vice Chancellor, and (4) in the institutional libraries.

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

July 11, 1994

Distribution List for Official Copies of  
Regents' Rules and Regulations

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System Administration	9
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Business Affairs	
Executive Assistant to the Chancellor	
Vice Chancellor for Asset Management	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers of Component Institutions	15
Chief of Staff, Office of the Chancellor, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	43

NOTE: See July 6, 1988 letter (copy attached) from Coordinating Board which requests that only those amendments related to 1) academic workload and 2) faculty development leaves be sent to that office.

July 11, 1994

Addresses of State Officials Who Receive Copies  
of the Regents' Rules and Regulations

Governor's Budget and Planning Office  
711 Sam Houston Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Mr. John Keel  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
Two Commodore Plaza  
206 East 9th Street  
Suite 1900  
Austin, Texas 78701  
INTERAGENCY MAIL

Ms. Sally Reynolds  
Director  
Legislative Reference Library  
Room 207-B, Capitol Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

Dr. Kenneth H. Ashworth  
Commissioner, Texas Higher  
Education Coordinating Board  
7745 Chevy Chase Drive, Building 5  
Austin, Texas 78752  
INTERAGENCY MAIL

(NOTE: Send only when there are  
amendments related to 1) academic  
workload or 2) faculty development  
leaves.)

\*\*\*\*\*

Mr. W. C. Lancaster  
Chief of Staff  
Office of the Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 42 - 57).--Committee Chairman Holmes reported that the Academic Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 24 (Compensation for Correspondence and Extension Teaching).--Upon recommendation of the Health Affairs and Academic Affairs Committees, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 24, regarding compensation for correspondence and extension teaching, to read as set forth below:

Sec. 24. Compensation for Correspondence and Extension Teaching.--Full-time employees on twelve (12) month appointments may receive additional compensation for correspondence course and/or extension center teaching, but may not receive additional compensation for summer school teaching. Full-time employees on nine (9) month appointments may receive additional compensation for correspondence course and/or extension center teaching during the nine (9) month period and also may be paid for summer school teaching. Compensation rates for correspondence course and extension center teaching shall be paid at rates set from year to year by the chief administrative officer and approved via the operating budget approval process.

This amendment deletes the requirement that compensation rates for correspondence course and extension center teaching be approved by the appropriate Executive Vice Chancellor and the Chancellor and authorizes approval of such rates via the operating budget approval process.

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendments to Chapter IV, Section 2, Subsections 2.4 and 2.5 (Institutional, College, School, and Departmental Faculties and Legislative Bodies).--The Board, upon recommendation of the Health Affairs and Academic Affairs Committees, amended the Regents' Rules and Regulations, Part One, Chapter IV, Section 2, Subsections 2.4 and 2.5, regarding institutional, college, school, and departmental faculties and legislative bodies, to read as set forth below:

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

- 2.4 Approval of Degree Candidates.--It shall be the duty of the several institutional faculties to recommend approval or disapproval of all candidates for degrees. This duty may be delegated by affirmative vote of the institutional faculty, or its legislative body, to the respective deans or other appropriate official. Should

this duty not be delegated, then the institutional registrar, or his or her equivalent, shall furnish to the members of the institutional faculty a complete list of the degree candidates for recommendation.

- 2.5 List of Degree Candidates in Minutes.--The institutional registrar, as soon as possible after each commencement, shall provide the secretary of his or her institutional faculty, or its legislative body, with a complete list of all successful degree candidates.

These amendments simplify the required procedure for approval of degree candidates and delete the current requirement that the list of degree candidates be included in the faculty legislative body minutes.

3. U. T. Austin: Permission for Professor Ray Marshall to Serve as a Trustee of the German Marshall Fund Board [Regents' Rules and Regulations, Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11)].--Permission was granted for Professor Ray Marshall, holder of the Audre and Bernard Rapoport Centennial Chair in Economics and Public Affairs at The University of Texas at Austin, to serve as a Trustee of the German Marshall Fund Board for an initial term beginning October 1994 and ending October 1998, with the possibility of reappointment to a subsequent four-year term.

Professor Marshall will serve without compensation except for reimbursement of travel expenses associated with his service on this Board.

Professor Marshall's service on this Board is of benefit to the State of Texas, creates no conflict with his position at U. T. Austin, and is in accordance with approval requirements for positions of honor, trust, or profit provided in Chapter 574 of the Texas Government Code and Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11) of the Regents' Rules and Regulations.

4. U. T. Austin: Approval to Name Room 101 in the West Mall Office Building as the Jane N. Lippmann Room [Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, Naming of Facilities Other Than Buildings] (No Publicity).--In accordance with the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, relating to the naming of facilities other than buildings, Room 101 in the West Mall Office Building at The University of Texas at Austin was named the Jane N. Lippmann Room in recognition of Professor Jane N. Lippmann's thirty years of distinguished service to the Colleges of Arts and Sciences, Humanities, and Liberal Arts.

It was requested that no publicity be given to this matter so that Professor Lippmann may be surprised by an announcement at the Spring commencement ceremony for the College of Liberal Arts.

100-100000  
100-100000

actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by the component institution's ~~personnel file~~ <sup>61C</sup>

~~Human Resources~~

5.32

~~in the case of classified employees or the chief administrative officer in the case of faculty or nonclassified employees. If the appointment, reappointment, or promotion of a person places him or her in an administrative or supervisory position with responsibility to approve, recommend or otherwise act with regard to the appointment, promotion, or salary of a person who is related to them within the degree prohibited by the Texas Government Code, all subsequent actions regarding the reappointment, promotion, or salary of such person shall be made by the next highest administrator or supervisor at the component institution or The University of Texas System.~~

~~Human Resources~~

Director of Human Resources/Personnel

(MK) felt use the title are 3  
employees who have not changed  
title.

5.33

It shall be the responsibility of the administrator or supervisor acting pursuant to Subdivisions 5.31 or 5.32 to make a written review of the work performance of such person at least annually and to submit such review to the next highest administrator or supervisor at the component institution or The University of Texas System.

5.24

The provisions of Subdivision 5.31 shall apply to situations where two employees of the System marry and one spouse is the administrative supervisor of the other.

5.35

All situations covered by Subdivision 5.31 shall be reported annually through the institution's docket or with the annual operating budget.

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

MEMORANDUM

7  
10/26/94  
Art Dilly

October 26, 1994

**TO:** Those Who Receive RRR Amendments (List Attached)  
**FROM:** Art Dilly *Art*  
**SUBJECT:** Regents' Rules and Regulations, Part One - Amendments

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Pages II-8 and II-17	Pages II-8 and II-17
Page III-39	Page III-39
Page VI-13	Page VI-13
Page VII-13	Page VII-13

The amendments approved at the October 7, 1994 meeting of the U. T. Board of Regents, as well as editorial amendments, have been incorporated on the revised pages.

AD/lp

Enclosures

July 11, 1994

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Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Business Affairs	
Executive Assistant to the Chancellor	
Vice Chancellor for Asset Management	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers of Component Institutions	15
Chief of Staff, Office of the Chancellor, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	43

NOTE: See July 6, 1988 letter (copy attached) from Coordinating Board which requests that only those amendments related to 1) academic workload and 2) faculty development leaves be sent to that office.

July 11, 1994

Addresses of State Officials Who Receive Copies  
of the Regents' Rules and Regulations

Governor's Budget and Planning Office  
711 Sam Houston Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Mr. John Keel  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
Two Commodore Plaza  
206 East 9th Street  
Suite 1900  
Austin, Texas 78701  
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Ms. Sally Reynolds  
Director  
Legislative Reference Library  
Room 207-B, Capitol Building  
Austin, Texas 78711  
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Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

Dr. Kenneth H. Ashworth  
Commissioner, Texas Higher  
Education Coordinating Board  
7745 Chevy Chase Drive, Building 5  
Austin, Texas 78752  
INTERAGENCY MAIL

(NOTE: Send only when there are  
amendments related to 1) academic  
workload or 2) faculty development  
leaves.)

\*\*\*\*\*

Mr. W. C. Lancaster  
Chief of Staff  
Office of the Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117

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RULES AND REGULATIONS  
OF THE  
BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM  
FOR THE GOVERNMENT OF  
THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through October 7, 1994,  
and editorial amendments through October 1994  
have been issued with this cover sheet.)

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Office of the Assistant Vice  
Chancellor for Finance

Office of Facilities Plan-  
ning and Construction

Office of Finance

Office of Endowment Real  
Estate regarding non-  
endowment and campus  
real estate

Office of Human Resources

Office of Employee Group  
Insurance Program

Office of West Texas Lands  
Management

University Lands

Accounting Office

Surface Interests

Oil, Gas & Mineral  
Interests.

6.2(11) Supervising and coordinating the acquisition  
and/or disposition of all nonendowment and  
campus lands at the component institutions  
and the U. T. System.

6.2(12) Directing the management of the purchasing,  
accounting, equipment inventories, and  
vouchering operations for the offices of the  
System Administration and coordinating the  
building services for the System buildings.

6.2(13) Directing the management of the System-wide  
insurance programs (except the System Plan  
for Professional Medical Liability Self-  
Insurance), including approval of all poli-  
cies and coverages, such programs to  
include:

Fire and Extended Coverage;

Liability;

Health;

Life;

Accidental Death and

Dismemberment;

Income Replacement; and

Retirement.

- 10.22 The development, organization, and administration of activities to obtain private sector funding for programs of the System.
- 10.23 The organization and administration of programs for providing information to the public relating to the System and coordinating those programs with the public information programs of the component institutions.
- 10.24 Directing the administration of the System Office of Special Services.
- 10.25 To assist in the development, organization, and administration of programs and activities related to alumni of System component institutions in coordination with appropriate personnel of the component institutions.
- 10.26 Coordinating the policies and activities of the System and the component institutions related to internal and external foundations that provide support for the System and the component institutions.
- 10.27 The performance of such other duties and responsibilities as may be assigned by the Chancellor.

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

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

25.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until approved by the dean, chief academic officer and chief administrative officer, pursuant to policies included in the institutional Handbook of Operating Procedures. At a minimum, these policies should provide for consultation with departmental faculty.

Sec. 26. Sectarian Courses Prohibited.--No course of instruction of a sectarian character shall be taught in the System or any of its component institutions. (Texas Education Code, Section 65.38.)

Sec. 27. Acceptance of Money from Students.

- 27.1 Members of teaching staffs, without previous and special approval of the Board, shall not collect from students any fees or charges to be expended for institutional purposes, and shall not sell to students books, notes, or similar student supplies.
- 27.2 A member of the faculty or staff of the rank of instructor or above may not accept pay for extra instruction or teaching of students registered in the institution where he or she is employed.
- 27.3 With written approval, teaching assistants, assistants, and other like instructional employees below the rank of an instructor, may accept pay from students for extra-class instruction or coaching but only in courses or sections of courses with which they have no instructional connection. The Handbook of Operating Procedures of the component institution shall specify the procedure for approval at the institutional level.

- 5.11 Constitutions and Bylaws Approved.--The constitutions and bylaws of the several associations in force at the date of adoption of these Rules and Regulations are hereby approved.
- 5.12 Mode of Amending Constitutions and Bylaws.--An amendment to the constitution or bylaws of a students' association may be adopted by an association, in accordance with its constitution and bylaws, but the change shall not become effective until transmitted to and acted upon by the chief student affairs officer, the chief administrative officer, the appropriate Executive Vice Chancellor, and the Chancellor and approved by the Board. Amendments to internal rules of procedure shall not become effective until transmitted to and acted upon by the chief student affairs officer and the chief administrative officer.
- 5.13 Amendment or Repeal by Regents.--The Board shall amend or repeal any portion of the constitution and bylaws of a students' association when, in the judgment of the Board, the interests of the particular institution shall require it.
- 5.14 Amendment or Repeal by the Chief Student Affairs Officer.--The chief student affairs officer shall have the power, when in his or her judgment the interests of the institution require it, to amend or repeal any provision in the constitution or bylaws of the particular association, but such action shall be in force only until the next meeting of the Board when Subdivision 5.13, above, shall become applicable.
- 5.15 Salaried Employees.--All persons officially employed on salary by or under the direct supervision of a students' association shall be subject to approval by the chief student affairs officer and the chief administrative officer.
- 5.16 Annual Financial Reports.--Every officially recognized students' association shall make annually a complete financial report to the institutional chief business officer and shall make such special reports as may be called for by such business officer. A duplicate copy of each report shall be filed

<u>Foundation</u>	<u>Date Established</u>
The University of Texas - Pan American Bronc Foundation	10/7/94

Sec. 5. Trust Foundations.

If accepted by the Board, foundations created by testamentary or inter vivos trust instruments are administered by the Board of Regents, the Chancellor, and the appropriate component chief administrative officer through the Office of Asset Management in accordance with the terms of the instrument creating the foundation. Foundations in this category are internal in the sense that they are controlled by the Board of Regents as trustee and the assets are carried in University accounts. The following trust foundations are presently being administered:

<u>Trust Foundation</u>	<u>Date Accepted</u>
Hogg Foundation for Mental Health	7/16/39
Winedale Stagecoach Inn Fund*	3/25/65
Robertson Poth Foundation	12/31/67

Sec. 6. Internal Corporations.

- 6.1 Definition.--As used in this Chapter, the term "internal corporation" means a nonprofit corporation chartered under the laws of the State of Texas:
- (1) under the Charter of which, the Board of Regents:
    - (a) acts as the Board of Directors or has the authority to appoint (or to approve or reject the appointment of) the Board of Directors; and
    - (b) has the authority to approve amendments to the charter and bylaws; and
  - (2) the funds of which are deposited and accounted for in appropriate University accounts.

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\*Although this trust does not contain the word "foundation" in its name, it is similar in all respects to the other trusts in this category.

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 10 - 59).--Committee Chairman Holmes reported that the Academic Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

- MINUTES  
10/7/94
1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 25, Subsection 25.2, Subdivision 25.22 (Textbooks and Other Materials Prescribed for the Use of Students).--Upon recommendation of the Health Affairs and Academic Affairs Committees, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 25, Subsection 25.2, Subdivision 25.22 regarding textbooks and other materials prescribed for the use of students to read as set forth below:

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

25.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until approved by the dean, chief academic officer and chief administrative officer, pursuant to policies included in the institutional Handbook of Operating Procedures. At a minimum, these policies should provide for consultation with departmental faculty.

This amendment deletes the requirement that lists of approved faculty-authored material be reported annually to the appropriate Executive Vice Chancellor and delegates responsibility for approval to the institutional chief administrative officers.

- MINUTES  
10/7/94
2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendment to Chapter VI, Section 5, Subsection 5.1, Subdivision 5.12 (Participation in Student Government).--The Board, upon recommendation of the Health Affairs and Academic Affairs Committees, amended the Regents' Rules and Regulations, Part One, Chapter VI, Section 5, Subsection 5.1, Subdivision 5.12 regarding participation in student government to read as set forth below:

Sec. 5. Participation in Student Government.

5.12 Mode of Amending Constitutions and Bylaws.--An amendment to the constitution or bylaws of a students' association may be adopted by an association, in accordance with its constitution and bylaws, but the change shall not become effective until transmitted to

and acted upon by the chief student affairs officer, the chief administrative officer, the appropriate Executive Vice Chancellor, and the Chancellor and approved by the Board. Amendments to internal rules of procedure shall not become effective until transmitted to and acted upon by the chief student affairs officer and the chief administrative officer.

This amendment clarifies that internal rules of procedure, while not requiring The University of Texas System administrative approvals, do require appropriate institutional review and approval.

3. U. T. Board of Regents: Appointment of Ms. Karen R. Johnson, Austin, Texas, as a Regental Representative to the U. T. Austin Intercollegiate Athletics Council for Women Effective September 1, 1994.--Approval was given to appoint Ms. Karen R. Johnson, Austin, Texas, as a Regental representative to The University of Texas at Austin Intercollegiate Athletics Council for Women for a four-year term beginning September 1, 1994 and ending August 31, 1998.

Ms. Johnson served as the first woman executive director of the State Bar of Texas and recently was appointed Vice-President, State Governmental Affairs-Texas for Entergy Corporation/Gulf States Utilities.

4. U. T. Arlington: Authorization for Dr. Russell J. Petersen to Use Title of Deloitte & Touche Professor of Accounting (Deloitte & Touche Professorship in Accounting Fund) Effective September 1, 1994 (Regents' Rules and Regulations, Part Two, Chapter I, Section 3, Subsection 3.4, Subdivision 3.41, Named Academic Positions).--Upon recommendation of the Academic Affairs Committee, the Board authorized Dr. Russell J. Petersen, Dean of the College of Business Administration and Professor of Accounting, to use the title Deloitte & Touche Professor of Accounting at The University of Texas at Arlington effective September 1, 1994.

This appointment recognizes Deloitte & Touche, Fort Worth, Texas, as donor of a nonendowed fund of \$6,000 per year, known as the Deloitte & Touche Professorship in Accounting Fund, to support the College of Business Administration as authorized by the Regents' Rules and Regulations, Part Two, Chapter I, Section 3, Subsection 3.4, Subdivision 3.41, related to authorized use of a named nonendowed academic position title.

5. U. T. Austin: Approval to Name the College of Education Building as the George I. Sanchez Building (Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.1, Naming of Buildings).--In accordance with the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.1, relating to the naming of buildings, the College of Education Building at The University of Texas at Austin was named the George I. Sanchez Building in recognition of the late Dr. George I. Sanchez and his distinguished educational contributions to U. T. Austin, the State of Texas, and the nation.

10. U. T. Pan American: Permission for Mr. Steve Copold to Serve as a Member of the Federal Communications Commission's LMDS FSS 28 GHz Band Negotiated Rule-making Committee [Regents' Rules and Regulations, Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11)]. --Permission was given for Mr. Steve Copold, Director of Information Resources at The University of Texas - Pan American, to serve, without compensation, as a member of the Federal Communications Commission's LMDS (Local Multipoint Distribution Service) FSS (Fixed Satellite Service) 28 GHz Band Negotiated Rulemaking Committee.

Mr. Copold's membership on this Committee is of benefit to the State of Texas, creates no conflict with his position at U. T. Pan American, and is in accordance with approval requirements for positions of honor, trust, or profit provided in Chapter 574 of the Texas Government Code and Part One, Chapter III, Section 13, Subsections 13.(10) and 13.(11) of the Regents' Rules and Regulations.

11. U. T. Pan American: Approval of a Change in Enforcement Fees Effective with the Fall Semester 1994 (Catalog Change). --The Board, upon recommendation of the Academic Affairs Committee, approved a change from \$10.00 to \$15.00 for the citation enforcement fee at The University of Texas - Pan American effective with the Fall Semester 1994.

The enforcement fees are set out below in their entirety:

	<u>1994-95 Fees</u>
<u>Enforcement Fees</u>	
Citation (per violation)	\$15.00
Immobilizer (per violation)	20.00
Impoundment (per violation)	25.00
Unauthorized removal of immobilizer	50.00

The next appropriate catalog published at U. T. Pan American will be amended to reflect this action.

12. U. T. Pan American: Establishment of the Bronco Foundation of the Department of Athletics; Approval to Amend the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3 (Internal Foundations) to Include the Bronco Foundation; and Establishment of the Bronco Foundation Advisory Council. --The Bronco Athletic Club at The University of Texas - Pan American has been an athletics booster organization providing support for intercollegiate athletics programs in past years. The Club has not had a clearly defined legal relationship to U. T. Pan American but has operated in many respects as an internal foundation. National Collegiate Athletic Association (NCAA) expectations regarding university control over athletic fund raising activities suggest the need for the Club to be restructured in keeping with the provisions of the Regents' Rules and Regulations concerning internal foundations. The establishment of an internal foundation will provide U. T. Pan American with oversight and consistent, internal control of fund raising for athletic programs.

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Upon recommendation of the Academic Affairs Committee, the Board:

- a. Approved the resolution set out on Page 59 creating the Bronc Foundation as an internal foundation to benefit the Department of Athletics at U. T. Pan American in accordance with the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3 (Internal Foundations)
- b. Authorized the Executive Secretary to the U. T. Board of Regents to add the foundation to the list of approved internal foundations set out in the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.33
- c. Established the Bronc Foundation Advisory Council pursuant to the Regents' Rules and Regulations, Part One, Chapter VII, Section 3 with the understanding that nominees to the Bronc Foundation Advisory Council will be submitted for approval at a future meeting.

Since the Broncs Athletic Club has not been incorporated previously, it will not require any steps to dissolve, but the Club will cease to function as an independent organization and will be reconstituted under the provisions of the internal foundation.

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4. U. T. System: Report on Redesignation of System Personnel Office as Office of Human Resources Effective September 1, 1994.--The Chancellor reported for the record that he had approved the recommendation of the Executive Vice Chancellor for Business Affairs that the System Personnel Office within The University of Texas System Administration be redesignated as the Office of Human Resources effective September 1, 1994.

In keeping with this redesignation, the Executive Secretary to the Board of Regents will make appropriate editorial amendments to the Regents' Rules and Regulations.

#### EXECUTIVE SESSION OF THE BOARD OF REGENTS

Chairman Rapoport reported that the Board had met in Executive Session in Room 1.304 of the Conference Center at U. T. Dallas to discuss matters in accordance with Texas Government Code, Chapter 551, Sections 551.071, 551.072, and 551.074. In response to Chairman Rapoport's inquiry regarding the wishes of the Board, the following action was taken:

U. T. Southwestern Medical Center - Dallas: Settlements of Medical Liability Litigation/Claim.--Regent Ramirez reported that the Board heard presentations from The University of Texas System Administration officials concerning the two medical liability matters listed in the agenda.

Based on these presentations, Regent Ramirez moved that the Chancellor and the Office of General Counsel be authorized to settle the following medical liability matters on behalf of The University of Texas Southwestern Medical Center at Dallas in accordance with the individual proposals presented in Executive Session:

- The medical liability litigation filed by Ron and Ebe Greene, Parents and Administrators of the Estate of Andrew C. Greene vs. Children's Medical Center, et al.
- The medical liability claim filed by Alicia Starr Wilson.

Vice-Chairman Lebermann seconded the motion which prevailed without objection.

Office of the Assistant Vice  
Chancellor for Finance

Office of Facilities Plan-  
ning and Construction

Office of Finance

Office of Endowment Real  
Estate regarding non-  
endowment and campus  
real estate

~~Office of Human Resources~~

*office of Human Resources*

Office of Employee Group  
Insurance Program

Office of West Texas Lands  
Management

University Lands

Accounting Office

Surface Interests

Oil, Gas & Mineral

Interests.

6.2(11) Supervising and coordinating the acquisition and/or disposition of all nonendowment and campus lands at the component institutions and the U. T. System.

6.2(12) Directing the management of the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the System Administration and coordinating the building services for the System buildings.

6.2(13) Directing the management of the System-wide insurance programs (except the System Plan for Professional Medical Liability Self-Insurance), including approval of all policies and coverages, such programs to include:

Fire and Extended Coverage;

Liability;

Health;

Life;

Accidental Death and

Dismemberment;

Income Replacement; and

Retirement.

- 10.22 The development, organization, and administration of activities to obtain private sector funding for programs of the System.
- 10.23 The organization and administration of programs for providing information to the public relating to the System and coordinating those programs with the public information programs of the component institutions.
- 10.24 Directing the administration of the System Office of Special Services.
- 10.25 To assist in the development, organization, and administration of programs and activities related to alumni of System component institutions in coordination with appropriate personnel of the component institutions.
- 10.26 Coordinating the policies and activities of the System and the component institutions related to internal and external foundations that provide support for the System and the component institutions.
- 10.27 The performance of such other duties and responsibilities as may be assigned by the Chancellor.

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

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

*Office of Human Resources.*

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

MEMORANDUM

October 11, 1994

**TO:** Those Who Receive RRR Amendments (List Attached)  
**FROM:** Art Dilly *AD*  
**SUBJECT:** Regents' Rules and Regulations, Part One - Amendments

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Pages VIII-2, VIII-5, VIII-6, VIII-6a, VIII-7, and VIII-8	Pages VIII-2, VIII-5, VIII-6, VIII-7, and VIII-8

The amendments approved at the August 11, 1994 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AD/lp

Enclosures

July 11, 1994

Distribution List for Official Copies of  
Regents' Rules and Regulations

Board of Regents	9
Office of the Board of Regents	3
Executive Associate for Economic Affairs	1
Legislative Budget Board	1
Governor's Budget and Planning Office	1
Publications Clearing House	1
State Auditor - U. T. Austin Representative	1
Legislative Reference Library	1
System Administration	9
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Business Affairs	
Executive Assistant to the Chancellor	
Vice Chancellor for Asset Management	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers of Component Institutions	15
Chief of Staff, Office of the Chancellor, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	43

NOTE: See July 6, 1988 letter (copy attached) from Coordinating Board which requests that only those amendments related to 1) academic workload and 2) faculty development leaves be sent to that office.

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July 11, 1994

Addresses of State Officials Who Receive Copies  
of the Regents' Rules and Regulations

Governor's Budget and Planning Office  
711 Sam Houston Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Mr. John Keel  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
Two Commodore Plaza  
206 East 9th Street  
Suite 1900  
Austin, Texas 78701  
INTERAGENCY MAIL

Ms. Sally Reynolds  
Director  
Legislative Reference Library  
Room 207-B, Capitol Building  
Austin, Texas 78711  
INTERAGENCY MAIL

Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

Dr. Kenneth H. Ashworth  
Commissioner, Texas Higher  
Education Coordinating Board  
7745 Chevy Chase Drive, Building 5  
Austin, Texas 78752  
INTERAGENCY MAIL

(NOTE: Send only when there are  
amendments related to 1) academic  
workload or 2) faculty development  
leaves.)

\*\*\*\*\*

Mr. W. C. Lancaster  
Chief of Staff  
Office of the Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117

RULES AND REGULATIONS  
OF THE  
BOARD OF REGENTS  
OF  
THE UNIVERSITY OF TEXAS SYSTEM  
FOR THE GOVERNMENT OF  
THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through August 11, 1994,  
have been issued with this cover sheet.)

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Board as required in Part One, Chapter VII, Subsection 2.44 of the Regents' Rules and Regulations. Recommendations by the Chancellor, appropriate Executive Vice Chancellor and chief administrative officer regarding the naming of each facility included in a fund development campaign shall subsequently be submitted to the Board of Regents for approval.

Sec. 2. Flags at Half Mast.--Flags at any of the component institutions of the System shall be placed at half mast on the death of a Regent, the death of a member of the teaching or non-teaching staff, the death of a student in residence at the institution, or at such other times as may be deemed appropriate by the chief administrative officer.

Sec. 3. Medical and Hospital Services.--No health care services shall be provided by any component institution of the System to any person without compensation or reimbursement to the System, except that in the case of health care facilities operated by the System, which under the law are open to the general public, free or partly free health care services may be rendered to persons who are indigent and who are able to offer proof that they are not financially able to pay either all or any part of their health care expenses.

Health components may accept patients for acute or continuing, or both, care without referral by another physician or agency. The patients are accepted for total and continuing care including the obligation to obtain the services of other physicians when indicated.

Sec. 4. Institutions and Entities Composing the System.--The System is composed of the component institutions and entities set forth below in paragraphs 4.1 et seq. and such other component institutions and activities as may from time to time be assigned to the governance, control, jurisdiction, or management of the Board of the System. To insure uniformity and

	<u>Full Title</u>	<u>Short Title</u>
	4.4(15) The University of Texas at Austin Graduate School	
	4.4(16) The University of Texas at Austin Marine Science Institute	U.T. Austin Marine Science Institute
	4.4(17) The University of Texas at Austin McDonald Observatory at Mount Locke	U.T. Austin McDonald Observatory
4.5	The University of Texas at Brownsville	U.T. Brownsville
	4.51 The University of Texas at Brownsville School of Business	
	4.52 The University of Texas at Brownsville School of Education	
	4.53 The University of Texas at Brownsville School of Health Sciences	
	4.54 The University of Texas at Brownsville College of Liberal Arts	
	4.55 The University of Texas at Brownsville College of Science, Mathematics and Technology	
	4.56 The University of Texas at Brownsville Division of Continuing Education	
4.6	The University of Texas at Dallas	U.T. Dallas
	4.61 The University of Texas at Dallas School of Arts and Humanities	
	4.62 The University of Texas at Dallas Erik Jonsson School of Engineering and Computer Science	
	4.63 The University of Texas at Dallas School of General Studies	
	4.64 The University of Texas at Dallas School of Human Development	
	4.65 The University of Texas at Dallas School of Management	

	<u>Full Title</u>	<u>Short Title</u>
4.66	The University of Texas at Dallas School of Natural Sciences and Mathematics	
4.67	The University of Texas at Dallas School of Social Sciences	
4.68	The University of Texas at Dallas Callier Center for Communication Disorders	
4.7	The University of Texas at El Paso	U.T. El Paso
4.71	The University of Texas at El Paso College of Business Administration	
4.72	The University of Texas at El Paso College of Education	
4.73	The University of Texas at El Paso College of Engineering	
4.74	The University of Texas at El Paso College of Liberal Arts	
4.75	The University of Texas at El Paso College of Nursing and Health Sciences	
4.76	The University of Texas at El Paso College of Science	
4.77	The University of Texas at El Paso Graduate School	
4.8	The University of Texas - Pan American	U.T. Pan American
4.81	The University of Texas - Pan American College of Arts and Sciences	
4.82	The University of Texas - Pan American School of Business Administration	
4.83	The University of Texas - Pan American School of Education	
4.84	The University of Texas - Pan American School of Health Sciences	

	<u>Full Title</u>	<u>Short Title</u>
4.9	The University of Texas of the Permian Basin	U.T. Permian Basin
4.91	The University of Texas of the Permian Basin College of Arts and Sciences	
4.92	The University of Texas of the Permian Basin School of Business	
4.93	The University of Texas of the Permian Basin School of Education	
4.(10)	The University of Texas at San Antonio	U.T. San Antonio
4.(10)1	The University of Texas at San Antonio College of Business	
4.(10)2	The University of Texas at San Antonio College of Fine Arts and Humanities	
4.(10)3	The University of Texas at San Antonio College of Social and Behavioral Sciences	
4.(10)4	The University of Texas at San Antonio College of Sciences and Engineering	
4.(10)5	The University of Texas Institute of Texan Cultures at San Antonio	U.T. Institute of Texan Cultures - San Antonio
4.(11)	The University of Texas at Tyler	U.T. Tyler
4.(11)1	The University of Texas at Tyler School of Business Administration	
4.(11)2	The University of Texas at Tyler School of Education and Psychology	

<u>Full Title</u>	<u>Short Title</u>
4.(11)3 The University of Texas at Tyler School of Liberal Arts	
4.(11)4 The University of Texas at Tyler School of Sciences and Mathematics	
4.(11)5 The University of Texas at Tyler Division of Nursing	
4.(12) The University of Texas Southwestern Medical Center at Dallas	U.T. Southwestern Medical Center - Dallas
4.(12)1 The University of Texas Southwestern Medical School at Dallas	U.T. Southwestern Medical School - Dallas
4.(12)2 The University of Texas Southwestern Graduate School of Biomedical Sciences at Dallas	U.T. Southwestern G.S.B.S. - Dallas
4.(12)3 The University of Texas Southwestern Allied Health Sciences School at Dallas	U.T. Southwestern A.H.S.S. - Dallas
4.(13) The University of Texas Medical Branch at Galveston	U.T. Medical Branch - Galveston
4.(13)1 The University of Texas Medical School at Galveston	U.T. Medical School - Galveston
4.(13)2 The University of Texas Graduate School of Biomedical Sciences at Galveston	U.T. G.S.B.S. - Galveston
4.(13)3 The University of Texas School of Allied Health Sciences at Galveston	U.T. Allied Health Sciences School - Galveston
4.(13)4 The University of Texas Marine Biomedical Institute at Galveston	U.T. Marine Biomedical Institute - Galveston
4.(13)5 The University of Texas Institute for the Medical Humanities at Galveston	U.T. Medical Humanities Institute - Galveston
4.(13)6 The University of Texas Hospitals at Galveston	U.T. Hospitals - Galveston

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 20 - 70).--Committee Chairman Holmes reported that the Academic Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

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

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

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

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

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

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

2. U. T. Arlington: Establishment of a Master of Science Degree in Management of Technology and Authorization to Submit the Degree Program to the Coordinating Board for Approval (Catalog Change).--Authorization was granted to establish a Master of Science degree in Management of Technology at The University of Texas at Arlington and to submit the proposal to the Texas Higher Education Coordinating Board for review and appropriate action. The degree program is consistent with U. T. Arlington's approved Table of Programs and its long-range academic plan.

The 36 semester credit hour degree program will be interdisciplinary in nature with courses from both the College of Engineering and the College of Business Administration. The purpose of the Management of Technology program is to provide engineering and scientific professionals with managerial skills needed to supervise other scientific and engineering professionals and to manage the technology development process itself.

Admission to the program will require a minimum of three years work experience in the individual's professional field. Since experienced engineers, scientists, and others appropriately qualified for this program will vary with respect to their academic backgrounds, some may be advised, on an individual basis, to complete certain leveling courses prior to completion of the core and advanced courses in the program. As a result, the degree program will exceed 36 semester credit hours for some students.

The program will use existing courses taught on a regular basis. No additional faculty, staff, equipment, or library costs are required to implement the program.

Upon approval by the Coordinating Board, the next appropriate catalog published at U. T. Arlington will be amended to reflect this action.