

THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

DATE August 28, 1990

TO: Those Who Receive R&R Amendments (list attached)
FROM: Arthur H. Dilly
SUBJECT: Regents' Rules and Regulations, Part One - Amendments

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Pages I-16 and I-17	Pages I-16 and I-17
Page III-23	Page III-23

The amendments approved at the August 9, 1990 meeting of the U. T. Board of Regents as well as editorial changes have been incorporated on the revised pages.

AHD/lp

Enclosures

August 1, 1990

Distribution List for Official Copies of
Regents' Rules and Regulations

Board of Regents & Office of Board of Regents	12
Executive Associate for Economic Affairs	1
Legislative Budget Board	1
Governor's Budget and Planning Office	1
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System Administration	9
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Asset Management	
Executive and Research Assistant to the Chancellor	
Vice Chancellor for Business Affairs	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers of Component Institutions	16
Vice Chancellor for Budgets & Human Resources, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	45

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.

August 1, 1990

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

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711 Sam Houston Building
Austin, Texas 78711

Mr. James P. Oliver, Director
Legislative Budget Board
Second Floor, Capitol
Austin, Texas 78711

Mr. Lawrence Alwin
State Auditor
406 John H. Reagan Building
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Publications Clearing House
Room 307, Texas State Library
Austin, Texas 78711

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

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

Mr. W. C. Lancaster
Vice Chancellor for Budgets
and Human Resources
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 9, 1990,
and Editorial Amendments through August 1990
have been issued with this cover sheet)

- 7.192 Consider and make recommendations on all matters relating to management of the lands constituting the permanent endowment of the University.
 - 7.193 Consider and make recommendations on all matters relating to the acquisition, management, and sale of trust property and special funds, and the issuance of bonds.
 - 7.194 Recommend to the Board appointments and dismissals of members of the Investment Advisory Committee and of investment consultants and advisors.
 - 7.195 Periodically report to the Board on the investment operations of The University of Texas System.
 - 7.196 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 lands and investments of the System or any component thereof.
- 7.2 Board for Lease of University Lands.--Pursuant to Section 66.62, Texas Education Code, two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve with one member of the Board of Regents of The Texas A&M University System selected by the Board of Regents of that System and the Commissioner of the General Land Office on the Board for Lease of University Lands, an agency of the State of Texas. A regent member may not be directly or indirectly employed by, or be an officer of or an attorney for, an oil or gas company. An officer, employee, or paid consultant of a trade association in the oil and gas industry may not be a member 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

Editorial Amendment
Issued August 1990

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.

- 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) Personnel and Audit Committee
 - (c) Academic Affairs Committee
 - (d) Health Affairs Committee
 - (e) Finance and Facilities Committee
 - (f) Land and Investment Committee

Editorial Amendment
Issued August 1990

- 6.(10) Each faculty member shall keep the chief administrative officer of the component institution or his or her delegate notified of his or her current mailing address. The written notice required by Section 6.23, 6.7, or 6.8 shall be sent by certified mail, return receipt requested, to the last address given by the faculty member.
- 6.(11) Dismissal or demotion of classified or nonteaching personnel before the expiration of the stated period of appointment will be only for good cause shown, as determined by appropriate administrative officers to whom this responsibility is delegated by the chief administrative officer of the component institution and in case of such dismissal or demotion any appeal shall be reviewed by the chief administrative officer of the component institution.
- 6.(12) The chief administrative officer of a component institution has the responsibility for determining when it shall be necessary to reduce academic positions, the titles of which are given in Subsection 1.8 of this Chapter, or academic programs or both, subject to approval by the appropriate Executive Vice Chancellor and the Chancellor of The University of Texas System.

When such reductions are necessary as a result of financial exigency, the procedure for the selection and notification of those academic positions that are to be terminated shall be governed by this Section, and neither the procedures specified in Subsection 6.3 of this Chapter nor the notice requirements of Subsections 6.23, 6.7, and 6.8 of this Chapter shall be applicable.

- 6.(12)1 Upon determining the existence of a financial exigency and the need to reduce academic positions or academic programs, or both, the chief administrative officer shall appoint a committee composed of faculty and administrative personnel to make recommendations to the chief administrative officer as to which academic positions and/or academic programs should be eliminated as a result of the financial exigency.

Okd - ^{agree}
I believe we can
consider an "editorial"
amendment to RFR
(need not go via
agenda item) & will
include in next
batch of amendments.
7/11
mg.

AS SYSTEM
D OF REGENTS
RECEIVED
L 1 1 1990
T. SYSTEM

As we discussed
last p.m.

Thanks -

Franci 7/10/90

SIGNATURE

FURE
Draue
7/10/90

Regents' Rules and Regulations
Part One, Chapter 1, Section 7, Subsection 7.2

BOARD OF REGENTS
RECEIVED
JUL 11 1990
U.T. SYSTEM

Sec. 7. Committee Structure

.....

7.2 Board for Lease of University Lands.--Pursuant to Section 66.62, Texas Education Code, two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve with one member of the Board of Regents of The Texas A&M University System selected by the Board of Regents of that System and the Commissioner of the General Land Office on the Board for Lease of University Lands, an agency of the State of Texas. A regent member may not be directly or indirectly employed by, or be an officer of or an attorney for, an oil or gas company. An officer, employee, or paid consultant of a trade association in the oil and gas industry may not be a member [~~or employee~~] of the Board, nor may a person who cohabits with or is the spouse of an officer, managerial employee, or paid consultant of a trade association in the oil and gas industry be a member of the Board [~~or employee of the Board Grade 17 or over, including exempt employees, according to the position classification schedule under the General Appropriations Act~~]. A person who is required to register as a lobbyist under ~~Chapter 205, Government Code~~ [~~Chapter 422, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9e, Vernon's Texas Civil Statutes)~~], 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.

SPECIAL ITEMS

Minutes 1.
8:19:40

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendment to Chapter III, Section 6, Subsection 6.(12) [Tenure, Promotion, and Termination of Employment].--In order to clarify the procedures to be followed when academic positions must be reduced because of financial exigency, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 6 (Tenure, Promotion, and Termination of Employment) by separating the first and second sentences of Subsection 6.(12) as set out below:

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

6.(12) The chief administrative officer of a component institution has the responsibility for determining when it shall be necessary to reduce academic positions, the titles of which are given in Subsection 1.8 of this Chapter, or academic programs or both, subject to approval by the appropriate Executive Vice Chancellor and the Chancellor of The University of Texas System.

When such reductions are necessary as a result of financial exigency, the procedure for the selection and notification of those academic positions that are to be terminated shall be governed by this Section, and neither the procedures specified in Subsection 6.3 of this Chapter nor the notice requirements of Subsections 6.23, 6.7, and 6.8 of this Chapter shall be applicable.

In this amendment, the first sentence becomes a separate paragraph of this Subsection in order to avoid any allegation that the detailed procedures for dealing with financial exigency are also applicable to situations addressed in the first sentence. This is consistent with the long-standing administrative interpretation and application of the Subsection.

2. U. T. Board of Regents: Approval to Restructure the Escrows of the (a) Board of Regents of The University of Texas System, The University of Texas Medical Branch at Galveston, Endowment and Hospital Revenue Bonds, Series 1973, (b) Board of Regents of The University of Texas System General Tuition Revenue Refunding Bonds, Series 1986, and (c) Board of Regents of The University of Texas System General Revenue Refunding Bonds, Series 1986, in Whole or in Part with Resolution Funding Corporation (REFCO) Securities; Appointment of McCall, Parkhurst & Horton, Dallas, Texas, and Vinson & Elkins, Austin, Texas, as Bond Counsel; Appointment of Ernst & Young, Tucson, Arizona, as Escrow Verification Agent; and Authorization for Executive Vice Chancellor for Asset Management to Complete Transactions.--Chairman Beecherl reported that, since the Material Supporting the Agenda was prepared, the Attorney General had issued an opinion which could impact the instruments used to

September 7, 1989

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200 E. Riverside Drive, Second Level
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The Texas A&M University System
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RULES AND REGULATIONS
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PART ONE

Part One was completely reissued as of June 1, 1988.
(Substantive amendments through June 14, 1990
have been issued with this cover sheet)

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- the Board, and, if confirmed, the appointment shall stand until the time for appointment of Chairmen of the standing committees as provided in Subdivision 7.113 of this chapter.
- 7.13 Authority of Standing Committees.--The authority of standing committees of the Board shall be subject to action of the whole Board and the committees' actions shall be referred to the Board before they shall become effective.
- 7.14 Duties of the Executive Committee.--The Executive Committee, after appropriate consultation with other members of the Board, shall act for the Board on emergency items that require immediate action between meetings of the Board; provided, at each Board meeting, the Executive Committee shall report, for ratification and approval, all actions taken by it since the last meeting of the Board.
- 7.15 Duties of the Personnel and Audit Committee.--The Personnel and Audit Committee shall:
- 7.151 Counsel with the Chancellor and recommend appropriate Board action with respect to any recommendations by the Chancellor related to the appointment, promotion, and dismissal of such System Administration Officers as report directly or indirectly to the Chancellor.
- 7.152 Recommend to the Board all compensation for the System Administration and the rates of professional compensation.
- 7.153 Consider and recommend to the Board matters related to all employee personnel programs, fringe benefits, retirement programs, and labor relations in the System Administration and the component institutions.

- 7.154 Obtain, review, and report to the Board on all State, System Administration, and institutional audit reports.
 - 7.155 Exercise supervision over all internal and external auditing activities related to the conduct and administration of the System and component institutions.
 - 7.156 Transmit to the Chancellor, subject to the prior approval of the Board, such instructions as it deems necessary for the enforcement of sound accounting and auditing practices.
 - 7.157 Initiate System Administration and institutional audits as deemed necessary to ensure management control within The University of Texas System. (In this regard, the Chairman of the Personnel and Audit Committee shall have direct access to the System Director of Audits.)
- 7.16 Duties of the Academic Affairs Committee.--
The Academic Affairs Committee shall:
- 7.161 Consider and report to the Board on matters concerned with substantive aspects of policies and programs related to the academic philosophy and objectives of the general academic institutions; with University relations; and with general academic planning, instruction, and research.
 - 7.162 Recommend to the Board policies relating to soliciting and securing gifts and endowments for the University's general academic institutions and the acceptance, use, and allocation of such gifts and endowments including recommendations on initial appointments to professorships and chairs.

- 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 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 U. T. System and System Administration. Accordingly, the System Director of Audits reports directly to the Chancellor.

3.31

System Director of Audits.

The System Director of Audits reports to the Chancellor and has direct access to the Chairman of the Personnel and Audit Committee. 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.

- 3.311 Appointment and Tenure.
The System Director of Audits shall be appointed by the Board after nomination by the Chancellor. The System Director of Audits shall hold office without fixed term, subject to the pleasure of the Chancellor. The Chancellor's actions regarding the System Director of Audits are subject to review and approval by the Board.
- 3.312 Duties and Responsibilities.
The primary responsibilities of the System Director of Audits include:
- 3.3121 Conducting internal audits of System Administration and each component institution in accordance with the Texas Internal Auditing Act, the Standards for the Professional Practice of Internal Auditing published by the Institute of Internal Auditors, Inc. and "College and University Business Administration" published by the National Association of College and University Business Officers.
 - 3.3122 Conducting audits of the revenue produced from the Permanent University Fund lands.
 - 3.3123 Formulating policies for the internal audit activity at each component institution.

3.32 The System audit staff is comprised of the internal auditors for System Administration and augments the audit work of the institutional internal auditor and the State Auditors at the component institutions. An annual audit plan is submitted to the Chancellor for approval. An executive summary of all audit activity by the System audit staff and the institutional internal audit staff is prepared for the Chancellor on a monthly basis.

Sec. 4. Executive Vice Chancellor for Academic Affairs.

The Executive Vice Chancellor for Academic Affairs has line responsibility for the conduct of the academic affairs of the System. The chief administrative officers of the general academic institutions in the System report to and are responsible to the Executive Vice Chancellor for Academic Affairs. The Executive Vice Chancellor for Academic Affairs reports to

7.3 Duties of Officers Reporting to the Vice Chancellor
for Business Affairs.

7.31 Budget Director.

The Budget Director's primary responsibilities are to plan and develop systems and procedures for uniform budget preparation, budget control and financial reporting. Subject to delegation by the Vice Chancellor for Business Affairs, the major duties of the Budget Director include:

- 7.311 Formulating procedures governing the preparation and review of all budgets and developing effective methods of presenting approved budgets to appropriate agencies.
- 7.312 Recommending procedures to be followed, including format, schedules of budget preparation, and effective review of budgets.
- 7.313 Preparing budget-writing instructions.
- 7.314 Conducting budget and other related research studies.
- 7.315 Planning systems and procedures for budgetary control and financial reporting.
- 7.316 Controlling and supervising distribution of all budgets and processing and approving (as delegated) interim budget changes.
- 7.317 Preparing periodic budgetary, financial, and special reports, as appropriate.
- 7.318 Serving as liaison with the staff of the Legislative Budget Board, the Governor's Budget and Planning Office, and the Texas Higher Education Coordinating Board.

7.32 Comptroller.

Subject to delegation by the Vice Chancellor for Business Affairs, the Comptroller formulates and recommends procedures to be

followed in the business operations of the System for:

- 7.321 Accounting, reporting, and expenditure control.
- 7.322 Procurement and purchasing.
- 7.323 Management of auxiliary service enterprises.
- 7.324 Data processing systems - including prior approval of equipment acquisitions by purchase or lease.
- 7.325 Accounting and business system development.
- 7.326 Accounting records, forms, procedures, and financial reports, including format for such reports.
- 7.327 Lease contracts for building space.
- 7.328 Approval of the business aspects and overhead rates in research and other contracts with outside agencies.

7.33 Director of Accounting.

The Director of Accounting of The University of Texas at Austin serves also as director of accounting for System Administration and is the accounting officer for both The University of Texas at Austin and for System Administration.

With respect to System Administration matters, the Director of Accounting reports to and is responsible to the Comptroller. With respect to other matters, the Director reports to the appropriate officers of The University of Texas at Austin. Subject to

REPORT AND RECOMMENDATIONS OF THE PERSONNEL AND AUDIT COMMITTEE (Pages 47 - 55).--Committee Chairman Roden reported that the Personnel and Audit 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 Personnel and Audit Committee and approved in open session and without objection by the U. T. Board of Regents:

- 6/14/90
Minutes
1. U. T. Board of Regents - Regents' Rules and Regulations: Amendments to Part One, Chapter I, Section 7, Subdivision 7.15; Chapter II, Section 3, Subsection 3.3; and Section 7, Subdivision 7.32; and Part Two, Chapter II, Section 3.--In order to conform with the Texas Internal Auditing Act (Article 6252-5d, Vernon's Texas Civil Statutes) passed by the 71st Legislature, The University of Texas System Comptroller's Office has been restructured to promote the independence of the internal audit function from the accounting function.

In accordance therewith, the Board amended certain chapters of Parts One and Two of the Regents' Rules and Regulations as set forth below:

- a. Part One, Chapter I, Section 7, Subdivision 7.15 was amended to read as follows:

- 7.15 Duties of the Personnel and Audit Committee.--
The Personnel and Audit Committee shall:
 - 7.151 Counsel with the Chancellor and recommend appropriate Board action with respect to any recommendations by the Chancellor related to the appointment, promotion, and dismissal of such System Administration Officers as report directly or indirectly to the Chancellor.
 - 7.152 Recommend to the Board all compensation for the System Administration and the rates of professional compensation.
 - 7.153 Consider and recommend to the Board matters related to all employee personnel programs, fringe benefits, retirement programs, and labor relations in the System Administration and the component institutions.
 - 7.154 Obtain, review, and report to the Board on all State, System Administration, and institutional audit reports.
 - 7.155 Exercise supervision over all internal and external auditing activities related to the conduct and administration of the System and component institutions.
 - 7.156 Transmit to the Chancellor, subject to the prior approval of the Board, such instructions as it deems necessary for the enforcement of sound accounting and auditing practices.

7.157 Initiate System Administration and institutional audits as deemed necessary to ensure management control within The University of Texas System. (In this regard, the Chairman of the Personnel and Audit Committee shall have direct access to the System Director of Audits.)

b. Part One, Chapter II, Section 3, Subsection 3.3 was amended to read as follows:

3.3 Audit.

The Chancellor, as chief executive officer of the System, is responsible for insuring the implementation of appropriate audit procedures for the U. T. System and System Administration. Accordingly, the System Director of Audits reports directly to the Chancellor.

3.31 System Director of Audits.

The System Director of Audits reports to the Chancellor and has direct access to the Chairman of the Personnel and Audit Committee. 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 UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

DATE June 29, 1990

TO: Those Who Receive R&R Amendments (list attached)
FROM: Arthur H. Dilly
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
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Pages 1-8 and 1-9	Pages 1-8 and 1-9
Pages 11-3, 11-14, and 11-15	Pages 11-3, 11-3a, 11-3b, 11-14, and 11-15

The amendments approved at the June 14, 1990 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AHD/lp

Enclosures

- 3.3122 Conducting audits of the revenue produced from the Permanent University Fund lands.
 - 3.3123 Formulating policies for the internal audit activity at each component institution.
 - 3.32 The System audit staff is comprised of the internal auditors for System Administration and augments the audit work of the institutional internal auditor and the State Auditors at the component institutions. An annual audit plan is submitted to the Chancellor for approval. An executive summary of all audit activity by the System audit staff and the institutional internal audit staff is prepared for the Chancellor on a monthly basis.
- c. Part One, Chapter II, Section 7, Subdivision 7.32 was amended to read as follows:

7.32 Comptroller.

Subject to delegation by the Vice Chancellor for Business Affairs, the Comptroller formulates and recommends procedures to be followed in the business operations of the System for:

- 7.321 Accounting, reporting, and expenditure control.
 - 7.322 Procurement and purchasing.
 - 7.323 Management of auxiliary service enterprises.
 - 7.324 Data processing systems - including prior approval of equipment acquisitions by purchase or lease.
 - 7.325 Accounting and business system development.
 - 7.326 Accounting records, forms, procedures, and financial reports, including format for such reports.
 - 7.327 Lease contracts for building space.
 - 7.328 Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
- d. Part Two, Chapter II, Section 3 was amended to read as follows:

Sec. 3. Auditing.

3.1 Internal auditors are responsible for reviewing, evaluating, and reporting on the institution's system of internal administrative and accounting controls and the efficiency and effectiveness of the operations when compared with established standards. The objective of internal auditing is to assist the chief administrative officer in the effective discharge of his or her responsibilities by furnishing objective analyses, appraisals and recommendations concerning the activities reviewed. The Texas Internal Auditing Act, the Standards

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Pages III-34, III-37, and III-39	Pages III-34, III-37, and III-39
Pages VI-1 through VI-32	Pages VI-1 through VI-30

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Vice Chancellor for Budgets & Human Resources, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	45

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.

September 7, 1989

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

Mr. James P. Oliver, Director
Legislative Budget Board
Second Floor, Capitol
Austin, Texas 78711

Mr. Lawrence Alwin
State Auditor
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Mr. James R. Sanders
Legislative Reference Librarian
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Austin, Texas 78711

Publications Clearing House
Room 307, Texas State Library
Austin, Texas 78711

~~Dr. Kenneth H. Ashworth
Commissioner, Texas Higher
Education Coordinating Board
200 E. Riverside Drive, Second Level
Austin, Texas 78704~~

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

Mr. W. C. Lancaster
Vice Chancellor for Budgets
and Human Resources
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 April 12, 1990,
and editorial amendments through May 1990
have been issued with this cover sheet)

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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. 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.

Sec. 6. Executive Vice Chancellor for Asset Management.

The Executive Vice Chancellor for Asset Management has line responsibility for the conduct of all investments and for the management of the assets of the System. The Manager of University Lands - Oil, Gas, and Mineral Interests, the Manager of University Lands - Surface Interests, the Executive Director for Investments, Executive Director for Endowment Management and Administration, and the Director of the University Lands Accounting Office report to and are responsible to the Executive Vice Chancellor for Asset Management. The Executive Vice Chancellor for Asset Management reports to and is responsible to the Chancellor. The Executive 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.

6.3 Offices Reporting to the Executive Vice
Chancellor for Asset Management.

6.31 Lands Management.

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

- 6.311 Works closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 6.312 Works closely with the chief administrative officer of a component institution of the System and that officer's delegates with regard to the management of trust lands and other noncampus real estate interests held by the Board of Regents for and on behalf of a particular institution.
- 6.313 Establishes procedures that insure effective coordination with the Executive Director for Endowment Management and Administration with regard to the management of trust lands other than University Lands.
- 6.314 Directs and manages the operation of the following budgeted activities which are part of the Office of Lands Management:
 - Board for Lease -
University Lands;
 - University Lands - Oil,
Gas, and Mineral
Interests;

Editorial Amendment
Issued May 1990

6.34 Investments and Trusts.

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

- 6.341 Investing, managing, and administering of all endowment funds belonging to the System and its component institutions, including the Permanent University Fund and all trusts and special funds.
- 6.342 Issuing, managing, and paying all bonds and other evidences of indebtedness issued by the Board for System and its component institutions.
- 6.343 Presenting to the Board through the Chancellor periodic reports of the status and prospect of funds for which he or she has responsibility and that will be available for expenditure by the System and its component institutions.
- 6.344 Consulting with the Executive Associate for Economic Affairs with respect to the development of long-range plans for the development and management of the economic resources of the System and its component institutions.

Sec. 7. Vice Chancellor for Business Affairs.

The Vice Chancellor for Business Affairs reports to the Chancellor and is responsible for the direction of those offices and supervision of those areas of responsibility set forth in Section 7.3 of this Chapter. The Vice Chancellor for Business Affairs provides staff assistance to the Chancellor and

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.
- 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

Sec. 20. Leave for Jury Duty.--Necessary time off for jury duty is allowed without loss of pay or vacation leave.

Sec. 21. Absence from Usual and Regular Duties.

- 21.1 Authorization for any member of a faculty or staff to be absent from his or her usual and regular duties will be granted only under the following conditions:
- 21.11 When such absence is on state business, and
 - 21.12 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution; or
 - 21.13 In the case of military leave, not to exceed 15 working days each year.
- 21.2 Permission to be absent from usual and regular duties shall be obtained as prescribed in institutional regulations.

Sec. 22. Authorization to Travel.

- 22.1 Authorization to travel will be granted only as specified in Section 10, Chapter III of Part Two.
- 22.2 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. 23. Compensation for Correspondence and Extension Teaching of Full-Time Staff Members.--Compensation rates for correspondence courses and extension center teaching for full-time teachers on a nine months' basis or for other employees on a twelve months' basis shall be in accord with rates fixed by the then current Appropriations Bill. If not so fixed, those compensation rates shall be set from year to year by the chief administrative officer with the approval of the appropriate Executive Vice Chancellor and the Chancellor.

24.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until such books, notes, manuals, or materials shall have been approved, with reasons stated, by the departmental faculty and the dean or deans concerned and by the chief administrative officer. An annual list of such approved materials shall be reported to System Administration via the appropriate Executive Vice Chancellor each August. The report shall indicate the proposed prices and profits, and the authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given by the chief administrative officer.

Sec. 25. Sectarian Courses Prohibited.--No course of instruction of a sectarian character shall be taught in the System or any of its component institutions. (Texas Education Code, Section 65.38.)

Sec. 26. Acceptance of Money from Students.

26.1 Members of teaching staffs, without previous and special approval of the Board, shall not collect from students any fees or charges to be expended for institutional purposes, and shall not sell to students books, notes, or similar student supplies.

26.2 A member of the faculty or staff of the rank of instructor or above may not accept pay for extra instruction or teaching of students registered in the institution where he or she is employed.

26.3 With written approval, teaching assistants, assistants, and other like instructional employees below the rank of an instructor, may accept pay from students for extra-class instruction or coaching but only in courses or sections of courses with which they have no instructional connection. The Handbook of Operating Procedures of the component institution shall specify the procedure for approval at the institutional level.

CHAPTER VI

STUDENT SERVICES AND ACTIVITIES INCLUDING FACILITIES USE

Sec. 1. General Provisions.

- 1.1 These policies and regulations apply to all component institutions of the System and shall be implemented appropriately in the Handbook of Operating Procedures for each institution.
- 1.2 When the designation "chief student affairs officer" appears in this Chapter, reference is made to the administrative officer or officers directly responsible for student affairs at each component institution. The designation "Dean of Students" or "Dean" in the context of this Chapter shall refer to the administrative officer or officers directly responsible for the administration of the disciplinary process at each component institution.
- 1.3 All authority held and exercised by a chief student affairs officer is delegated to that officer by the chief administrative officer. Any action taken by the chief student affairs officer is subject to review by the chief administrative officer.
- 1.4 The chief student affairs officer shall be the administrative officer primarily responsible for the development and administration of policies relating to students, for the development and implementation of services to students, and for the initial preparation of institutional regulations that will implement the policies and regulations set forth in this Chapter.
- 1.5 Any individual student, group of students, or student organization may petition the Board on any matter relating to these policies and regulations (other than a disciplinary action) through the chief student affairs officer, the chief administrative officer, the appropriate Executive Vice Chancellor, and the Chancellor.

Sec. 2. Definitions.

- 2.1 Student.--The following persons shall be considered students for purposes of these policies and regulations:
- 2.11 A person currently enrolled at a component institution of the System.
- 2.12 A person accepted for admission or readmission to a component institution of the System.
- 2.13 A person who has been enrolled at a component institution of the System in a prior semester or summer session and is eligible to continue enrollment in the semester or summer session that immediately follows.
- 2.14 An individual for prohibited conduct that occurred while an individual was a student.
- 2.2 Campus.--The campus consists of all real property, buildings or facilities owned or controlled by the component institution.

Sec. 3. Student Conduct and Discipline.

- 3.1 The component institutions shall adopt rules and regulations concerning student conduct and discipline. Such rules shall be in compliance with the Regents' Rules and Regulations and shall become effective upon review and approval by the appropriate Executive Vice Chancellor. Each student is responsible for notice of and compliance with the provisions of the Regents' Rules and Regulations and the rules of the component institution.
- 3.2 All students are expected and required to obey the law, to comply with System and institutional rules and with directives issued by an administrative official in the course of his or her authorized duties, and to observe standards of conduct appropriate for an academic institution.
- 3.21 Any student who engages in conduct that is prohibited by System or institutional rules or by federal, state, or local law

- is subject to discipline whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct.
- 3.22 Any student who commits an act of scholastic dishonesty is subject to discipline. Scholastic dishonesty includes but is not limited to cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another person, any act designed to give unfair advantage to a student or the attempt to commit such acts.
- 3.23 Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus of a component institution is subject to discipline. If a student is found guilty of the illegal use, possession, and/or sale of a drug or narcotic on campus, the minimum penalty shall be suspension from the institution for a specified period of time and/or suspension of rights and privileges.
- 3.24 Any student who engages in conduct that endangers the health or safety of any person on the campus of a component institution or any property, building, or facility owned or controlled by the System is subject to discipline.
- 3.25 Any student who, acting singly or in concert with others, obstructs, disrupts or interferes with any teaching, educational, research, administrative, disciplinary, public service, or other activity or public performance authorized to be held or conducted on campus or on property owned or controlled by the System is subject to discipline. Obstruction or disruption includes but is not limited to any act that interrupts, modifies or damages utility service or equipment, communication service or equipment, university

- computers, computer programs, computer records or computer networks accessible through the university's computer resources.
- 3.26 Any student who engages 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 is subject to discipline.
- 3.27 Any student who appropriates university resources for private gain is subject to discipline.
- 3.28 Any student who, acting singly or in concert with others, engages in hazing is subject to discipline. Hazing in state educational institutions is prohibited by state law (Sections 4.51 to 4.58, Texas Education Code). Hazing with or without the consent of a student whether on or off campus is prohibited, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline. Initiations or activities of organizations may include no feature which is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders both the organization and participating individuals subject to discipline.
- 3.29 A student who alters any official record of the component institution or who submits false information or omits requested information that is required for or related to an application for admission, the award of a degree, or any official record of the institution is subject to discipline.
- 3.2(10) Any student who defaces, mutilates, destroys or takes unauthorized possession of any property of a component institution or the System is subject to discipline.
- 3.2(11) A student is subject to discipline for prohibited conduct that occurs while participating in off-campus activities sponsored by a component institution including field trips, internships, rotations or clinical assignments.

- 3.2(12) A student who receives a period of suspension as a disciplinary penalty is subject to further disciplinary action for prohibited conduct that takes place on campus during the period of suspension.
- 3.3 A former student who has been suspended or expelled for disciplinary reasons is prohibited from being on the campus of any component institution during the period of such suspension or expulsion without prior written approval of the chief student affairs officer of the institution at which the suspended or expelled student wishes to be present.
- 3.4 The Dean of Students shall have primary authority and responsibility for the administration of student discipline at each institution. It shall be the Dean's duty to investigate allegations that a student has engaged in conduct that is prohibited by the Regents' Rules and Regulations, the rules and regulations of the institution, specific instructions issued by an administrative official of the institution in the course of his or her authorized duties, or any provisions of federal, state, and/or local laws. In such cases, the Dean may proceed with disciplinary action, notwithstanding any action taken by other authorities.
- 3.41 The Dean of Students may take immediate interim disciplinary action, including suspension pending a hearing, against a student for violation of a rule or regulation of the System or of the institution when the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting any authorized university activity.
- 3.42 The Dean may authorize interim withholding of a student's grades, degree or official transcript when such withholding would be in the best interest of the institution.
- 3.43 The Dean may summon the student for purposes of discussing the allegations by mailing to the address appearing in the registrar's records a written request for the student to appear at a certain place and time at least three weekdays after the

date of the letter. If the Dean of Students determines that allegations of misconduct are not unfounded, the Dean shall notify the student of the allegations and proceed under Subdivision 3.44 or Subsection 3.5 as appropriate. If a student fails to appear without a valid reason, the Dean may implement hearing procedures in the absence of the student or may bar or cancel the student's enrollment until the student appears or responds to the summons.

3.44 In any case where the accused student does not dispute the facts upon which the charges are based and executes a written waiver of the hearing procedures specified in Subsection 3.5, the Dean of Students shall assess a penalty pursuant to Subsection 3.6 that is appropriate to the charges and inform the student of such action in writing. The minimum penalty that the Dean may assess when a student admits illegal use, possession, and/or sale of a drug or narcotic on campus is the penalty prescribed in Subdivision 3.23 of this Section.

3.45 The decision of the Dean of Students on penalty may be appealed as in the case of a decision rendered subsequent to a hearing in accordance with Subsection 3.5. The appeal is limited to the issue of penalty and no transcript will be required.

3.5 In those cases in which the accused student disputes the facts upon which the charges are based, such charges shall be heard and determined by a fair and impartial person, hereinafter called the Hearing Officer, selected in accordance with procedures adopted by the institution.

3.51 Except in those cases where immediate interim disciplinary action has been taken under authority of Subdivisions 3.41 and/or 3.42, the accused student shall be given at least ten (10) days' notice of the date, time, and place for such hearing and the name of the Hearing Officer. The notice shall include a written statement of the charge(s) and a summary statement

of the evidence supporting such charge(s). The notice shall be delivered in person or mailed to the student at the address appearing in the registrar's records. Hearings held following interim disciplinary action under Subdivisions 3.41 and/or 3.42 will be held under the same procedures set forth below, but will be held as soon as practicable within ten (10) days after the interim disciplinary action has been taken.

3.52 Upon a hearing of the charges, the institutional representative has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of the credible evidence.

3.53 The hearing shall be conducted in accordance with procedures adopted by the institution and that assure both parties (institutional representative and the accused student) the following minimal rights:

- (1) Each party shall provide the other party a list of witnesses, a brief summary of the testimony to be given by each, and a copy of documents to be introduced at the hearing at least three days prior to the hearing.
- (2) Each party shall have the right to appear and present evidence in person or through a designated representative or counsel of choice.
- (3) Each party, or his or her designated representative or counsel, shall have the right to cross-examine witnesses.
- (4) The hearing will be recorded. If either party desires to appeal the finding, the record will be transcribed and both parties will be furnished a copy of the transcript.

3.54 The accused student may challenge the impartiality of the Hearing Officer up to three days prior to the hearing. The Hearing Officer shall be the sole judge of whether he or she can serve with fairness and objectivity. In the event the Hearing Officer disqualifies himself or herself, a substitute will be chosen in accordance with procedures adopted by the institution.

- 3.55 The Hearing Officer shall render and send to both parties a written decision which shall contain findings of facts and conclusions as to the guilt or innocence of the accused student and shall assess a penalty or penalties pursuant to Subsection 3.6. If the Hearing Officer finds the student guilty of the illegal use, possession, and/or sale of a drug or narcotic on campus, the Hearing Officer must assess a minimum penalty as provided in Subdivision 3.23 of this Section.
- 3.6 The following penalties may be assessed by the Dean of Students or the Hearing Officer in accordance with the procedures specified in Subdivisions 3.41, 3.42, 3.44 and 3.55:
- 3.61 Disciplinary probation.
 - 3.62 Withholding of grades, official transcript and/or degree.
 - 3.63 Bar against readmission.
 - 3.64 Restitution or reimbursement for damage to or misappropriation of institutional or System property.
 - 3.65 Suspension of rights and privileges, including participation in athletic or extracurricular activities.
 - 3.66 Failing grade for an examination or assignment or for a course and/or cancellation of all or any portion of prior course credit.
 - 3.67 Denial of degree.
 - 3.68 Suspension from the institution for a specified period of time.
 - 3.69 Expulsion (permanent separation from the institution).
 - 3.6(10) Revocation of degree and withdrawal of diploma.
 - 3.6(11) Other penalty as deemed appropriate under the circumstances.
- 3.7 Appeal Procedures.--A student may appeal a disciplinary action taken by the Dean or the Hearing Officer in accordance with the following procedures:
- 3.71 Within fourteen (14) days after the parties have been notified of the decision, either or both parties may give

notice of appeal to the chief administrative officer of the institution. If the decision is sent by mail, the date the decision is mailed initiates the fourteen (14) day period. The decision will be reviewed on the basis of the transcript, if any, and evidence considered at the hearing. In order for the appeal to be considered, all the necessary documentation to be filed by the appealing party, including written argument, must be filed with the chief administrative officer within fourteen (14) days after notice of appeal is given and the transcript, if any, is available. Both parties may, at the discretion of the chief administrative officer, present oral argument.

3.72 The chief administrative officer may approve, reject, or modify the decision in question or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. It is provided, however, that if the finding as to guilt is upheld in a case involving the illegal use, possession, and/or sale of a drug or narcotic on campus, the penalty may not be reduced below the minimum penalty prescribed by Subdivision 3.23 of this Section.

3.73 The action of the chief administrative officer shall be communicated in writing to the student and the Dean of Students within thirty (30) days after the appeal and related documents have been received. The decision of the chief administrative officer is the final appellate review.

3.8 Each component institution shall maintain a permanent written disciplinary record for every student assessed a penalty of suspension, expulsion, denial or revocation of degree and/or withdrawal of diploma. A record of scholastic violations shall be maintained for at least five years unless the record is permanent in

conjunction with the above stated penalties. A disciplinary record shall reflect the nature of the charge, the disposition of the charge, the penalty assessed and any other pertinent information. This disciplinary record shall be separate from the student's academic record, shall be treated as confidential, and shall not be revealed except upon written request of the student or in accordance with applicable state or federal laws.

Sec. 4. Student Organizations.

- 4.1 An organization in which membership is limited to students (recognizing that faculty and staff may also be members) of a component institution may become a registered student organization at that institution by complying with the registration procedures established by the chief student affairs officer.
- 4.2 The chief student affairs officer, with the approval of the chief administrative officer, may establish regulations requiring faculty or staff advisers for registered student organizations.
- 4.3 A registered student organization may state that its membership is composed of students, or of students, faculty, and/or staff, of a component institution, but it shall not suggest or imply that it is acting with the authority or as an agency of that institution. A student organization shall not use the name of a component institution or the name of The University of Texas System as a part of the name of the organization, and it shall neither display the seal of either a component institution or The University of Texas System in connection with any activity of the organization nor use such seal or seals as a part of any letterhead, sign, banner, pamphlet, or other printed material that bears the name of the organization.
- 4.4 The chief student affairs officer, with the approval of the chief administrative officer, may issue regulations governing the eligibility of students for participation in organized activities.

- 4.5 Each component institution may establish a committee or committees to assist the chief student affairs officer in overseeing the programs of registered student organizations.
- 4.6 Any student organization is subject to disciplinary action or revocation of registration as a student organization for violation of a rule or regulation of the System and/or of the institution at which the organization is registered.
- 4.7 The chief administrative officer of each component institution of the System shall require and enforce the following:
- 4.71 As a condition to being a registered student organization or group during a semester, every registered student organization or group shall furnish to the appropriate institutional officer at the beginning of each such semester a complete list of officers or other members of the organization or group who are authorized to speak for or represent the organization or group in its relations with the institution and who are authorized to receive for the organization or group official notices, directives, or information from the institution. Each such list shall be kept current and accurate throughout the semester by the organization or group, and it shall be conclusively presumed that the officers or members whose names are on the list most recently filed by the organization or group are authorized to speak for and represent the organization or group in its relations with the institution and are authorized to receive for the organization or group official notices, directives, or information from the institution.
- 4.72 No registered student organization or group may have any person as a member who is not either a student or a member of the faculty or staff of the institution. Except pursuant to the provisions of Subsection 6.(10) of this Chapter, no organization or group,

whether registered or not, may use any facility of any component institution of the System if it has as a member any person who is not either a student or a member of the faculty or staff of the institution.

4.73 At the beginning of each semester, each registered student organization or group must file with the appropriate institutional officer a written statement that the organization or group does not, and will not during the semester, have as a member any person who is not either a student or a member of the faculty or staff of the institution. If an organization or group fails or refuses to file the required statement, or if the Dean of Students determines that the statement is or has become false, the Dean of Students, after providing notice, shall begin disciplinary proceedings. The Dean or Hearing Officer may cancel the registered status of the organization or group or impose other appropriate penalties.

4.74 No organization or group, whether registered or not, may use the facilities of any component institution as long as it owes a monetary debt to the institution and the debt is considered delinquent by the crediting institutional agency.

4.8 No component institution shall register any student organization or group whose actions or activities, in the opinion of the chief administrative officer or the appropriate Executive Vice Chancellor, are inimical to the educational purpose and work of the institution.

4.9 A registered student organization whose registered status has been cancelled by the Dean of Students pursuant to Subdivisions 4.73 or 6.63 of this Chapter may apply for re-registration not less than six months following the date of such cancellation.

Sec. 5. Participation in Student Government.

5.1 Students' Associations.--Students' associations currently authorized at the component institutions of the System are hereby approved. They shall have such jurisdictions and shall exercise such powers as the Board may now or hereafter delegate to them.

- 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 laws, 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 do not require administrative approval.
- 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

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-Owned Facilities.

- 6.1 The campuses of the component institutions of The University of Texas System and the property, buildings or facilities owned or controlled by the System are not open for assembly and expression of free speech 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 the exercise of the right of assembly and free speech on the grounds and in the buildings and facilities of the various 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 the Rules and Regulations of this Section and this Chapter relating to the use of institutional buildings, grounds and other facilities for purposes other than regular academic use.

6.2 Identification Required.

- (a) 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 and employees of the component institutions of the System and to protect the property of the System, it is hereby declared that it shall be unlawful for any person on any property either owned or controlled by the System or any component institution to refuse to identify himself or herself to an institutional representative in response to a request. For the purpose of this Subsection, a person identifies himself or herself by:
- (1) giving his or her name and complete address; and
 - (2) stating truthfully whether or not he or she is a student at the institution and whether or not he or she is an employee of the institution.
- (b) For the purpose of Subsection (a), an "institutional representative" is:
- (1) any member of the Board of Regents or the Executive Secretary to the Board;
 - (2) any administrative officer of the System, including the Chancellor, Executive Vice Chancellors, Vice Chancellors, and the Director of Police;

- (3) any administrative officer of the component institution, including the chief administrative officer, assistants to the chief administrative officer, vice presidents, dean of students, and any associate or assistant dean of students; and
 - (4) any attorney, peace officer, or security officer of the System or the institution.
- (c) Any person who refuses to identify himself or herself in accordance with Subsection (a) is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.
 - (d) Any student or employee who refuses to identify himself or herself in accordance with Subsection (a) is, in addition to the penalty prescribed in Subsection (c), subject to discipline.

6.3 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 and employees of the component institutions of the System and to protect the property of the System, it is hereby declared that it shall be unlawful for any person to enter, walk, run, lie, play, remain, or be in the water of any fountain or other artificial body of water located on the campus of any component institution unless such person shall have theretofore been granted permission by the chief administrative officer of that institution to enter, remain, or be in such water.

- (a) It shall further be unlawful for any person to dump, throw, place, or cause to be placed any material, object, trash, waste, or debris in the water of any fountain or other artificial body of water located on the campus of any component institution of the System.
- (b) It shall also be unlawful for any person to damage, deface, or remove any portion of any fountain, monument, or memorial located on the campus of any component institution of the System.

- (c) Any person who violates any portion of Subsection 6.3 shall upon conviction thereof be punished by a fine of not more than \$200.
 - (d) Any student or employee who violates any portion of Subsection 6.3 shall, in addition to the penalty prescribed above, be subject to discipline.
- 6.4 The use of intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas. However, with the prior consent of the chief administrative officer, the foregoing provisions of this Subsection may be waived with respect to any specific event which is sponsored by the institution. In any case, state law will be strictly enforced at all times on all property controlled by the System and its component institutions.
- 6.5 No individual, organization, group, association, or corporation may use the grounds, buildings, or facilities owned or controlled by any component institution or by the System except as permitted by the provisions of the Regents' Rules and Regulations and approved institutional rules and regulations.
- 6.6 Solicitation.
- 6.61 The term "solicitation" as used herein means the sale or offer for sale of any property or service, whether for immediate or future delivery; the distribution of material that is designed to encourage the purchase or rental of any property, product, 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; and the request that a vote be cast for or against a candidate, issue, or proposition appearing on the ballot at any election held pursuant to state or federal law.

6.62

No solicitation shall be conducted in any building, structure, or facility of any component institution or of the System. The following activities shall be deemed not to be solicitations prohibited by this Subsection if they are conducted in accordance with the rules and regulations of a component institution and in a manner that will not disturb or interfere with the academic or institutional programs being carried on in a building, structure or facility, or do not interfere with entry to or exit from a building, structure or facility:

(1) The distribution, sale or offer for sale of any newspaper, magazine, or other publication by means of an unattended rack or vending machine in an area designated in advance by the chief administrative officer or his or her delegate for the conduct of such activity.

(2) The sale or offer for sale of any food, drink or other product or service that may be lawfully sold by means of a vending machine operated by the institution or its subcontractor in an area designated in advance by the chief administrative officer or his or her delegate for the conduct of such activity.

(3) The sale or offer for sale by a component institution or its subcontractor of any publication of the institution or of any book or other printed material to be used in the regular academic work of the institution.

(4)(a) The operation by the institution of any service or facility maintained for the convenience of the students, staff and/or faculty.

(b) The operation by the institution's subcontractor or lessee (through appropriate written agreements approved as to content by the chief administrative officer of the institution and the appropriate Executive Vice Chancellor, as to form by the Office of General Counsel, and by the Board of Regents

through the Chancellor's Docket) of one of the following services or facilities, maintained for the convenience of the students, staff and/or faculty: any bookstore, specialty store, laundry, pharmacy, cafeteria, child care facility (limited to children or bonafide dependents of students, staff and/or faculty), state or federal credit union (the membership in which must be limited primarily to students, faculty, and staff of the institution but which may include: students, faculty, and staff of other area institutions of higher education; students, faculty, and staff of other component institutions of the U. T. System; staff members of the System Administration; and staff members of organizations closely related to the institution's educational mission such as ex-student organizations and cooperative bookstores), private post office boxes (the use of which must be limited to students, faculty, and staff), unmanned teller machines (any agreement for the placement of which must include a provision expressly prohibiting advertising the location of the unmanned teller machine to the general public), or travel agency (the use of which must be limited primarily to students, faculty and staff of the institution and which agency must agree to undertake no public advertising concerning the location of the facility).

(5) The sale or offer for sale by the institution or its subcontractor of food and drink items and programs at athletic contests or at any other program or event sponsored or authorized by the institution.

(6) The collection of tuition and fees in connection with enrollment of a student in any course or degree program.

(7) The collection of membership fees or dues by registered student, faculty, or staff organizations at meetings of such organizations scheduled in accordance with the facilities use regulations of any component institution.

(8) The collection of admission fees for the exhibition of movies or other programs that are sponsored by the component institution or by a registered faculty, staff, or student organization, when permitted by and scheduled in accordance with the facilities use regulations of the component institution.

(9) The solicitation of funds by any organization that can present to the chief administrative officer, 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). No organization may solicit under this subdivision for more than a total of fourteen days, whether continuous or intermittent, during each state fiscal year.

(10) Occasional sales or offers of sales of goods or services that otherwise comply with state law and municipal ordinances and are conducted in the privacy of an individual university residence hall room or individual apartment when the 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, provided that neither sales nor offers of sales of goods or services within a university residence hall room or apartment by the occupant thereof on a continuing or scheduled basis, nor door-to-door sales or offers of sales of goods or services are included in the activity permitted by this exception.

(11) The acknowledgement or advertisement by scoreboard, electronic message or banner displayed at athletic facilities pursuant to an institutional policy concerning approval and selection of advertisement.

6.63

No solicitation shall be conducted on the grounds, sidewalks, or streets on the campus of any component institution or of the System, except by the agents, servants, or employees of that 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.

- (1) Solicitation made pursuant to the terms of Subdivision 6.63 must be conducted in such a way (a) that it will not disturb or interfere with the academic or institutional programs being carried on in campus buildings, (b) that it will 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 campus buildings, and (c) that it will not harass, embarrass, or intimidate the person or persons being solicited. If, after such reasonable investigation as the Dean of Students shall deem appropriate (which investigation shall afford the accused organization every right guaranteed by the due process clauses of the United States and Texas Constitutions) the Dean determines that a solicitation is being conducted in a manner violative of this Subsection, the Dean shall prohibit the offending organization from solicitation on the campus for such period or periods of time as shall be determined to be appropriate and in the case of repeated violations of these solicitation rules, the Dean may cancel the registered status of the offending organization or impose other appropriate penalties.
- (2) The students' association and each registered student organization shall, within thirty days of the beginning of the following long session semester, file with

the Dean of Students a statement fully and fairly disclosing the sources and amounts of money which it obtained from solicitations (sales, contributions, and/or other revenues) on the campus during the preceding semester or summer session and fully and fairly disclosing the beneficiaries and amounts of the expenditures which it made during the preceding semester or summer session. A registered student organization which during a semester or summer session received no money or thing of value other than from its own members need file only a statement to that effect. Any organization failing to comply with the provisions of this paragraph shall be prohibited from solicitation on the campus until such organization places itself in compliance.

- (3) 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 at the sole expense of such organization shall comply with the provisions of Subdivisions 6.63(1) and 6.63(2).

6.7 Use of Physical Facilities of the System by Registered Student, Faculty or Staff Organizations or Officially Recognized Alumni Associations.

6.71 Registered student, faculty or staff organizations or any officially recognized alumni association that qualifies under Subdivision 6.62(9) of this Section and whose fund-raising activities are dedicated to the benefit of any component institution may use an institution's buildings and/or grounds in compliance with reasonable and nondiscriminatory institutional regulations

that shall specify the procedures under which such organizations may reserve the institution's buildings and/or grounds for their use. 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 and/or grounds. Registered student, faculty or staff organizations or alumni associations may not enter into joint sponsorship of any on-campus project or program with individuals, groups, or students that are not registered.

- 6.72 Reasonable and nondiscriminatory regulations may be promulgated to authorize students and registered student organizations, under specified conditions, to petition, post signs, set up booths, and/or peacefully demonstrate on the campus. Such regulations shall prohibit any activity that would interfere with academic and institutional programs.
- 6.73 No person, whether or not a student or employee of a component institution, shall publicly distribute on the campus of any such institution any petition, handbill, or piece of literature that is obscene, libelous, or directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
- 6.74 No person, whether or not a student or employee of a component institution, shall post or carry any sign or poster that is obscene, libelous, or directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
- 6.75 No person, whether or not a student or employee of a component institution, shall install, occupy, or use on the campus of any such institution any booth, if the use of the booth is wholly or partly for the distribution or dissemination of words or material that are obscene, libelous, or

directed to inciting or producing imminent lawless action and are likely to incite or produce such action. For the purpose of this provision, the word "booth" includes furniture, enclosure, and any other structure temporarily installed for distributing petitions, handbills, or literature, or for displaying signs, or for raising funds or soliciting tangible items.

- 6.8 The use of student center or student union facilities on the campus of each component institution shall be subject to Regents' Rules and Regulations and to reasonable and nondiscriminatory regulations promulgated by that center's or union's governing board and the component institution and included in the Handbook of Operating Procedures.
- 6.9 Extracurricular student, faculty or staff activities involving the use of System-owned buildings and grounds shall be conducted in accordance with local, state and national law and in accordance with the applicable System and institutional regulations. Such activities shall not disrupt or disturb the academic and institutional programs and shall not result in damage to or defacement of property.
- 6.(10) Use of Grounds and Physical Facilities by Outside Groups, the System as a Joint Sponsor.--Use of grounds and physical facilities of the System, especially auditoriums, gymnasiums, and large rooms, by outside individuals, groups or associations shall be subject to the following rules in which the "System" shall include any component institution.
- 6.(10)1 The System will not permit the unrestricted use by non-System groups of any of its facilities. Whenever non-System groups share in the use of System buildings, it must be upon the invitation of the System, under its joint sponsorship, and with the further understanding that all conditions governing such sponsorship are to be set by the System.
- 6.(10)2 The System will enter into joint sponsorship of a project or program only if the educational implications are self-evident

- and directly supplement the educational purposes of the System and there is to be no private gain for the cooperating individuals, group or associations.
- 6.(10)3 The System, established as a public institution without regard to political affiliation or religious faith, cannot be a joint sponsor with any noncampus organization for political or sectarian gatherings. However, the appearance by or on behalf of a candidate for public office may be authorized under conditions prescribed by the Board in Section 7.2 of this Chapter.
- 6.(10)4 The System, when entering into joint sponsorship of any program or activity, assumes full responsibility for all details and reserves the right to approve all copy for advertising, as well as news releases.
- 6.(10)5 It shall be understood that the scheduling of the System's facilities for System activities shall always have priority over the scheduling of facilities for functions other than System activities.
- 6.(10)6 In the case of programs for which the System is a joint sponsor with an individual, group or organization, the fee to be paid by the co-sponsor will be a matter for negotiation in each case and will be specified in the agreement providing for the joint sponsorship.
- 6.(11) Notwithstanding any other provisions of this Chapter, the chief administrative officer of a component institution may designate specific facilities of a component institution, such as special events 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 institution, appropriate rules and regulations for the reservation and use of such designated Special Use Facilities. Such rules and regulations must restrict the reservation and use of such facilities in accordance with the following:
- 6.(11)1 Designation as a Special Use Facility shall not constitute the facility as a

- public facility open to use by non-University persons, groups, associations, or corporations on a first come, first served basis.
- 6.(11)2 Priority in the reservation and use of Special Use Facilities shall be given to activities and events sponsored by the component institution that are in furtherance of and related to the educational, cultural, recreational, and athletic programs of the institution.
- 6.(11)3 As a lower priority, the institutional rules and regulations may provide for reservation and use of Special Use Facilities by non-University individuals, groups, associations or corporations, without the necessity of joint sponsorship by the institution. The institution shall establish rates to be charged for the use of the facility that will, at a minimum, insure recovery of that part of the operating cost of the facility attributable directly or indirectly to such non-University use. If the non-University user charges those attending an event any admission or registration fee, or accepts donations from those in attendance, the 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 non-University user shall be required to remit such excess funds to the institution as an additional charge for the use of the Special Use Facility.
- 6.(11)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.(11)3 above, 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 state, district, or local offices listed on the ballot at the last general election. A religious or political organization shall be permitted to use a Special Use Facility only one time during a calendar year.
- 6.(11)5 The rules and regulations applicable to a Special Use Facility may provide procedures for the rental of space for display of advertising 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 by lighted displays on an electronic scoreboard. Such rules and regulations may further provide procedures 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.

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.

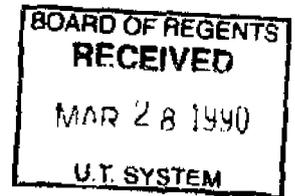
9.2 In the event of nonpayment to the System or one of its component institutions, one or more of the following actions may be taken: (a) a bar against readmission for the student, (b) withholding of the student's grades and official transcript, (c) withholding of a degree to which the student otherwise 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. Other Regulations Concerning Student Affairs are Reported in Part Two, Chapters I and X of the Rules and Regulations of the Board of Regents.



OFFICE OF ASSOCIATE VICE PRESIDENT AND BUSINESS MANAGER
THE UNIVERSITY OF TEXAS AT AUSTIN

P. O. Box 7487 • Austin, Texas 78713-7487 • (512) 471-4503



March 22, 1990

Mr. Art Dilly, Executive Secretary
Board of Regents
The University of Texas System
ASH 820

Dear Art:

Linda Feters of Feters InfoManagement Co. is under contract to update the *TXPoly computer application which provides keyword and index capability access to the Regents Rules and Regulations, riders to the appropriations bill and institutional supplements to the Regents' Rules.

You may already be aware of the need to change Part I, Chapter 2, Section 6.34 or have initiated the change pointed out in Linda's letter of March 19, 1990. In any event, Linda's letter may be helpful.

Sincerely yours,

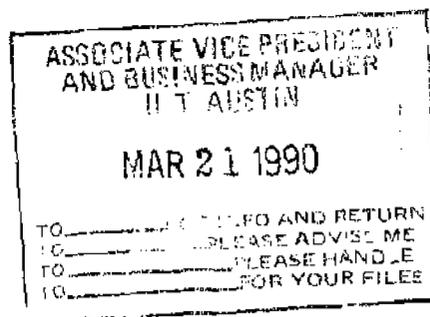

Bobby G. Cook
Associate Vice President and
Business Manager

BGC:jo

Enclosure

Fetters InfoManagement Co.

P.O. Box 386
Port Aransas, Texas 78373
(512) 749-6634



March 19, 1990

Mr. B.G. Cook, Associate Vice President
and Business Manager
Office of the Business Manager
University of Texas at Austin
University Station
Austin, TX 78712-7386

Dear Mr. Cook:

In recent changes to the *Regents Rules* Part 2, Chapter 9, Sections 1-5, the names of several officers have been changed. These officers are also mentioned in *Regents Rules* Part 1, chapter 2, Section 6.34 but have not yet been changed. You may wish to inform the necessary people that these changes need to be made.

The affected officer names are as follows:

Old Name

New Name

Director for Investments

Executive Director for
Investments

Director for Endowments
and Trusts

Executive Director for
Endowment Management and
Administration

Sincerely,

Linda K. Fetters

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. 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.

Sec. 6. Executive Vice Chancellor for Asset Management.

The Executive Vice Chancellor for Asset Management has line responsibility for the conduct of all investments and for the management of the assets of the System. The Manager of University Lands - Oil, Gas, and Mineral Interests, the Manager of University Lands - Surface Interests, the Director for Investments, Director for Endowments and Trusts, and the Director of the University Lands Accounting Office report to and are responsible to the Executive Vice Chancellor for Asset Management. The Executive Vice Chancellor for Asset Management reports to and is responsible to the Chancellor. The Executive 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.

*Executive Director for Investments, Henry M. Davis
Executive Director for Endowment Management and
Administration, Brenda F. Nyglason*

6.3 Offices Reporting to the Executive Vice
Chancellor for Asset Management.

6.31 Lands Management.

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

- 6.311 Works closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 6.312 Works closely with the chief administrative officer of a component institution of the System and that officer's delegates with regard to the management of trust lands and other noncampus real estate interests held by the Board of Regents for and on behalf of a particular institution.
- 6.313 Establishes procedures that insure effective coordination with the **Director for Endowments and Trusts** with regard to the management of trust lands other than University Lands.
- 6.314 Directs and manages the operation of the following budgeted activities which are part of the Office of Lands Management:
 - Board for Lease -
University Lands;
 - University Lands - Oil,
Gas, and Mineral
Interests;

*Executive Director of Endowment Management and
Administration, Brenda A. Macglason*

6.34 Investments and Trusts.

The Executive Vice Chancellor for Asset Management and his or her delegates, the **Director for Investments**, and the **Director for Endowments and Trusts** implements policies and actions approved by the Board with respect to:

- 6.341 Investing, managing, and administering of all endowment funds belonging to the System and its component institutions, including the Permanent University Fund and all trusts and special funds.
- 6.342 Issuing, managing, and paying all bonds and other evidences of indebtedness issued by the Board for System and its component institutions.
- 6.343 Presenting to the Board through the Chancellor periodic reports of the status and prospect of funds for which he or she has responsibility and that will be available for expenditure by the System and its component institutions.
- 6.344 Consulting with the Executive Associate for Economic Affairs with respect to the development of long-range plans for the development and management of the economic resources of the System and its component institutions.

Sec. 7. Vice Chancellor for Business Affairs.

The Vice Chancellor for Business Affairs reports to the Chancellor and is responsible for the direction of those offices and supervision of those areas of responsibility set forth in Section 7.3 of this Chapter. The Vice Chancellor for Business Affairs provides staff assistance to the Chancellor and

Executive Director for Investments, Henry M. Davis
Executive Director for Endowment Management and Administration, Brenda F. Meglasson



Office of the Board of Regents
THE UNIVERSITY OF TEXAS SYSTEM

MEMORANDUM

REFERRED TO Francis Frederick

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

REMARKS:

*If you agree, we will make the following editorial amendments in the Regents' Rules.
Please call with your comments.*

SIGNATURE M. H. Law DATE 2-28

To M. H. Law - Reg

Date 2/28 Time 1:33

WHILE YOU WERE OUT

M. Francis Frederick

of _____

Phone _____

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/> PLEASE CALL	
CALLED TO SEE YOU	WILL CALL AGAIN	
WANTS TO SEE YOU	URGENT	
RETURNED YOUR CALL <input type="checkbox"/>		

Message Editorial Changes proposed to RR
Look Good!

Operator P



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THE UNIVERSITY OF TEXAS SYSTEM

BOARD OF REGENTS
RECEIVED
FEB 15 1990
U.T. SYSTEM

MEMORANDUM

REFERRED TO

Art / Margaret
What are charges?
all do that
mark say
thing

- PER OUR CONVERSATION
- FOR YOUR INFORMATION
- FOR YOUR APPROVAL
- FOR YOUR SIGNATURE
- FOR YOUR COMMENTS
- FOR DISCUSSION

- PLEASE RETURN
- PER YOUR REQUEST
- FOR HANDLING
- FOR DISTRIBUTION
- NO NEED TO RETURN
- FOR YOUR FILE

REMARKS:

*Please look over
Sections 14 and 15 to
see if you are
comfortable handling
as editorial charges.*

SIGNATURE

JZ

DATE

2/14/90

Part One

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.
- 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.

OK as edited - editorial / a

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 and the Board~~ or alternate holidays approved in the official calendars of the various institutions by the appropriate Executive Vice Chancellor ~~and the Chancellor and the Board~~. (See the Classified Personnel rules in the institutional Handbook of Operating Procedures.)

and

Sec. 15. Vacation.

I believe the sentence could read after "state law", without reference to EVC / a still retained

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

- 15.2 An employee who resigns, is dismissed, or separates from university employment shall be entitled to be paid in "lump sum" for all vacation leave entitlement duly accrued at the date of termination provided the employee has had continuous employment with the state for six months. The payment shall be calculated at the rate of compensation being paid the employee at the time of termination.
- 15.3 In the case of death of an employee who has accumulated vacation leave, his 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 unit period for which a leave of absence will be granted is the end of the fiscal or academic year in which the leave begins. In normal times, leaves for one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements.
- 16.3 Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity which reflects credit on the institution and enhances an individual's subsequent contributions to the institution, a second consecutive year of leave of absence will not be granted.
- 16.4 Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted.
- 16.5 After a return to active duty of one year or more, the leave-of-absence privilege will again be available.

PROPOSED AGENDA ITEM.

Review Procedure

- 1. Check File Returned for Correction _____
Rg Returned for Revision _____
- 2. MG Corrected Copy Returned _____
Revised Copy Returned _____
- 3. AHD

COMMENTS:

M6) Lets handle as editorial w/o MSA.
 Francie has no problem - wish she
 had thought of it. / *C*

11/2/89

RKR: Part Done

Approved: J. J. W.

PROPOSED AGENDA ITEM

BOARD OF REGENTS
RECEIVED
NOV - 1 1989
U.I. SYSTEM

For Board of Regents' Meeting: December 7, 1989

Recommended Committee(s): Personnel & Audit

not freestanding
U. T. Board of Regents: Proposed Amendments to ^{the} Regents' Rules and Regulations, Part One, Chapter III, Sections 21 (Absence from Usual and Regular Duties) and 22 (Authorization to Travel).--

RECOMMENDATION

edit as such as use the word respectively after travel and leave as written?
The Chancellor with the concurrence of the Executive Vice Chancellor for Academic Affairs and the Executive Vice Chancellor for Health Affairs recommends that the Regents' Rules and Regulations, Part One, Chapter III, Sections 21 and 22 ~~(Absence from Usual and Regular Duties) and (Authorization to Travel)~~ be amended as follows:

Sec. 21. Absence from Usual and Regular Duties.

- 21.1* 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:
 - 21.11 When such absence is on state business, and
 - 21.12 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution; or
 - 21.13 In the case of military leave, not to exceed 15 working days each year.
- 21.2* Permission to be absent from usual and regular duties shall be obtained as prescribed in institutional regulations ~~[the-Fiscal-Rules (See-Part-Two-hereof)]~~.

Sec. 22. Authorization to Travel.

- 22.1* Authorization to travel will be granted only as ~~[under-the-conditions]~~ specified in Section 10, Chapter III of ~~[the-Fiscal-Rules (See) Part Two (hereof)]~~.
- 22.2* A faculty or staff member whose usual duties do not require travel shall not be absent from the

Copies

Office of the Board of Regents (orig. + 1 xc)

- xcs: Chancellor Mark
- Dr. Duncan
- Dr. Mullins
- Mr. Burck
- Mr. Farabee
- Mr. Roddy

Supplemental Material

Date: 9/25/89
FAF:kp

regular place of work and usual duties except with permission of the chief administrative officer or designee [~~obtained-according-to-the Fiscal-Rules--(See-Part-Two-hereof)~~].

BACKGROUND INFORMATION

Following comprehensive revision to Part Two, Chapter III, Section 10 of the Regents' Rules and Regulations related to ✓ absence from duty including official travel approved by the U. T. Board of Regents at the October 1989 meeting, the parallel references in Part One, Chapter III, Sections 21 and 22 require update via the proposed amendments.

○
*Note attached
re Section 10 ✓*

- 31.3 Recommendation for, and appointment to, modified service shall be made only if the service of the individual will result in a significant benefit to the System or a particular component institution.
- 31.4 Appointment to modified service shall be without tenure, for not more than one academic year and shall not exceed one-half time. The notice provisions of Section 6.7 of this Chapter shall not apply to nonrenewal of such appointments. If the System or a component institution determines that it is to the benefit of the System or the institution, it may offer reappointment to modified service.
- 31.5 The duties, work load, salary rate or compensation of an individual on modified service shall be in accordance with policies and procedures of The University of Texas System or the component institution.
- 31.6 Upon recommendation of the appropriate Executive Vice Chancellor, the Chancellor and, when appropriate, the chief administrative officer of the affected component institution, the Board of Regents may, by unanimous vote of the members present, make exceptions to this Section in special cases when the Board finds that the services of a particular individual will be of unique benefit to the System or a component institution.

2. U. T. Board of Regents - Regents' Rules and Regulations, Part Two: Approval of Amendments to Chapter III, Section 10 (Absence from Usual and Regular Duties, Authorization for Absence, Including Travel, and Travel Expense Reimbursement) and Authorization for the Executive Secretary to the Board to Make Appropriate Editorial Changes Therein. --Approval was given to amend the Regents' Rules and Regulations, Part Two, Chapter III, Section 10 (Absence from Usual and Regular Duties, Authorization for Absence, Including Travel, and Travel Expense Reimbursement) as set forth below:

a. Present Section 10 (Absence from Usual and Regular Duties, Authorization for Absence, Including Travel, and Travel Expense Reimbursement) was deleted in its entirety.

b. A new Section 10 was added to read as follows:

Sec. 10. Travel Authorization, Reimbursement, and Institutional Regulations.

10.1 Authorization for Travel.--Authorization for travel from the city or town where the officer or employee is regularly stationed will be

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 121 - 132).--Committee Chairman Barshop 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:

- 4/10
M. J. Barshop
1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 24, Subdivision 24.22 (Textbooks and Other Materials Prescribed for the Use of Students).--In order to implement revisions to the institutional dockets to delegate approval of the use of faculty-authored materials to the chief administrative officers of the component institutions and to require an annual report of approved materials to The University of Texas System Administration, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 24, Subdivision 24.22 concerning textbooks and other materials prescribed for the use of students to read as follows:

Sec. 24. Textbooks and Other Materials Prescribed for the Use of Students.

24.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until such books, notes, manuals, or materials shall have been approved, with reasons stated, by the departmental faculty and the dean or deans concerned and by the chief administrative officer. An annual list of such approved materials shall be reported to System Administration via the appropriate Executive Vice Chancellor each August. The report shall indicate the proposed prices and profits, and the authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given by the chief administrative officer.

4.

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter VI (Student Services and Activities).--In order to provide more definitive notice to students concerning standards of conduct and to provide administrative officers of The University of Texas System component institutions with more concise guidelines for implementing disciplinary procedures, approval was given to amend the Regents' Rules and Regulations, Part One, Chapter VI (Student Services and Activities) to read as follows:

CHAPTER VI

STUDENT SERVICES AND ACTIVITIES INCLUDING FACILITIES USE

Sec. 1. General Provisions.

- 1.1 These policies and regulations apply to all component institutions of the System and shall be implemented appropriately in the Handbook of Operating Procedures for each institution.
- 1.2 When the designation "chief student affairs officer" appears in this Chapter, reference is made to the administrative officer or officers directly responsible for student affairs at each component institution. The designation "Dean of Students" or "Dean" in the context of this Chapter shall refer to the administrative officer or officers directly responsible for the administration of the disciplinary process at each component institution.
- 1.3 All authority held and exercised by a chief student affairs officer is delegated to that officer by the chief administrative officer. Any action taken by the chief student affairs officer is subject to review by the chief administrative officer.
- 1.4 The chief student affairs officer shall be the administrative officer primarily responsible for the development and administration of policies relating to students, for the development and implementation of services to students, and for the initial preparation of institutional regulations that will implement the policies and regulations set forth in this Chapter.
- 1.5 Any individual student, group of students, or student organization may petition the Board on any matter relating to these policies and regulations (other than a disciplinary action) through the chief student affairs officer, the chief administrative officer, the appropriate Executive Vice Chancellor, and the Chancellor.

Sec. 2. Definitions.

- 2.1 Student.--The following persons shall be considered students for purposes of these policies and regulations:
- 2.11 A person currently enrolled at a component institution of the System.
 - 2.12 A person accepted for admission or readmission to a component institution of the System.
 - 2.13 A person who has been enrolled at a component institution of the System in a prior semester or summer session and is eligible to continue enrollment in the semester or summer session that immediately follows.
 - 2.14 An individual for prohibited conduct that occurred while an individual was a student.
- 2.2 Campus.--The campus consists of all real property, buildings or facilities owned or controlled by the component institution.

Sec. 3. Student Conduct and Discipline.

- 3.1 The component institutions shall adopt rules and regulations concerning student conduct and discipline. Such rules shall be in compliance with the Regents' Rules and Regulations and shall become effective upon review and approval by the appropriate Executive Vice Chancellor. Each student is responsible for notice of and compliance with the provisions of the Regents' Rules and Regulations and the rules of the component institution.
- 3.2 All students are expected and required to obey the law, to comply with System and institutional rules and with directives issued by an administrative official in the course of his or her authorized duties, and to observe standards of conduct appropriate for an academic institution.
- 3.21 Any student who engages in conduct that is prohibited by System or institutional rules or by federal, state, or local law is subject to discipline whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct.
 - 3.22 Any student who commits an act of scholastic dishonesty is subject to discipline. Scholastic dishonesty includes but is not limited to cheating, plagiarism, collusion, the submission for credit of any work or materials that are attributable in whole or in part to another person, taking an examination for another

- person, any act designed to give unfair advantage to a student or the attempt to commit such acts.
- 3.23 Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus of a component institution is subject to discipline. If a student is found guilty of the illegal use, possession, and/or sale of a drug or narcotic on campus, the minimum penalty shall be suspension from the institution for a specified period of time and/or suspension of rights and privileges.
- 3.24 Any student who engages in conduct that endangers the health or safety of any person on the campus of a component institution or any property, building, or facility owned or controlled by the System is subject to discipline.
- 3.25 Any student who, acting singly or in concert with others, obstructs, disrupts or interferes with any teaching, educational, research, administrative, disciplinary, public service, or other activity or public performance authorized to be held or conducted on campus or on property owned or controlled by the System is subject to discipline. Obstruction or disruption includes but is not limited to any act that interrupts, modifies or damages utility service or equipment, communication service or equipment, university computers, computer programs, computer records or computer networks accessible through the university's computer resources.
- 3.26 Any student who engages 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 is subject to discipline.
- 3.27 Any student who appropriates university resources for private gain is subject to discipline.
- 3.28 Any student who, acting singly or in concert with others, engages in hazing is subject to discipline. Hazing in state educational institutions is prohibited by state law (Sections 4.51 to 4.58, Texas Education Code). Hazing with or without the consent of a student whether on or off campus is prohibited, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline. Initiations or

activities of organizations may include no feature which is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders both the organization and participating individuals subject to discipline.

- 3.29 A student who alters any official record of the component institution or who submits false information or omits requested information that is required for or related to an application for admission, the award of a degree, or any official record of the institution is subject to discipline.
- 3.2(10) Any student who defaces, mutilates, destroys or takes unauthorized possession of any property of a component institution or the System is subject to discipline.
- 3.2(11) A student is subject to discipline for prohibited conduct that occurs while participating in off-campus activities sponsored by a component institution including field trips, internships, rotations or clinical assignments.
- 3.2(12) A student who receives a period of suspension as a disciplinary penalty is subject to further disciplinary action for prohibited conduct that takes place on campus during the period of suspension.
- 3.3 A former student who has been suspended or expelled for disciplinary reasons is prohibited from being on the campus of any component institution during the period of such suspension or expulsion without prior written approval of the chief student affairs officer of the institution at which the suspended or expelled student wishes to be present.
- 3.4 The Dean of Students shall have primary authority and responsibility for the administration of student discipline at each institution. It shall be the Dean's duty to investigate allegations that a student has engaged in conduct that is prohibited by the Regents' Rules and Regulations, the rules and regulations of the institution, specific instructions issued by an administrative official of the institution in the course of his or her authorized duties, or any provisions of federal, state, and/or local laws. In such cases, the Dean may proceed with disciplinary action, notwithstanding any action taken by other authorities.
- 3.41 The Dean of Students may take immediate interim disciplinary action, including suspension

- pending a hearing, against a student for violation of a rule or regulation of the System or of the institution when the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting any authorized university activity.
- 3.42 The Dean may authorize interim withholding of a student's grades, degree or official transcript when such withholding would be in the best interest of the institution.
- 3.43 The Dean may summon the student for purposes of discussing the allegations by mailing to the address appearing in the registrar's records a written request for the student to appear at a certain place and time at least three weekdays after the date of the letter. If the Dean of Students determines that allegations of misconduct are not unfounded, the Dean shall notify the student of the allegations and proceed under Subdivision 3.44 or Subsection 3.5 as appropriate. If a student fails to appear without a valid reason, the Dean may implement hearing procedures in the absence of the student or may bar or cancel the student's enrollment until the student appears or responds to the summons.
- 3.44 In any case where the accused student does not dispute the facts upon which the charges are based and executes a written waiver of the hearing procedures specified in subsection 3.5, the Dean of Students shall assess a penalty pursuant to Subsection 3.6 that is appropriate to the charges and inform the student of such action in writing. The minimum penalty that the Dean may assess when a student admits illegal use, possession, and/or sale of a drug or narcotic on campus is the penalty prescribed in Subdivision 3.23 of this Section.
- 3.45 The decision of the Dean of Students on penalty may be appealed as in the case of a decision rendered subsequent to a hearing in accordance with Subsection 3.5. The appeal is limited to the issue of penalty and no transcript will be required.

3.5

In those cases in which the accused student disputes the facts upon which the charges are based, such charges shall be heard and determined by a fair and impartial person, hereinafter called the Hearing Officer, selected in accordance with procedures adopted by the institution.

3.51 Except in those cases where immediate interim disciplinary action has been taken under authority of Subdivisions 3.41 and/or 3.42, the accused student shall be given at least ten (10) days' notice of the date, time, and place for such hearing and the name of the Hearing Officer. The notice shall include a written statement of the charge(s) and a summary statement of the evidence supporting such charge(s). The notice shall be delivered in person or mailed to the student at the address appearing in the registrar's records. Hearings held following interim disciplinary action under Subdivisions 3.41 and/or 3.42 will be held under the same procedures set forth below, but will be held as soon as practicable within ten (10) days after the interim disciplinary action has been taken.

3.52 Upon a hearing of the charges, the institutional representative has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of the credible evidence.

3.53 The hearing shall be conducted in accordance with procedures adopted by the institution and that assure both parties (institutional representative and the accused student) the following minimal rights:

- (1) Each party shall provide the other party a list of witnesses, a brief summary of the testimony to be given by each, and a copy of documents to be introduced at the hearing at least three days prior to the hearing.
- (2) Each party shall have the right to appear and present evidence in person or through a designated representative or counsel of choice.
- (3) Each party, or his or her designated representative or counsel, shall have the right to cross-examine witnesses.

- (4) The hearing will be recorded. If either party desires to appeal the finding, the record will be transcribed and both parties will be furnished a copy of the transcript.
- 3.54 The accused student may challenge the impartiality of the Hearing Officer up to three days prior to the hearing. The Hearing Officer shall be the sole judge of whether he or she can serve with fairness and objectivity. In the event the Hearing Officer disqualifies himself or herself, a substitute will be chosen in accordance with procedures adopted by the institution.
- 3.55 The Hearing Officer shall render and send to both parties a written decision which shall contain findings of facts and conclusions as to the guilt or innocence of the accused student and shall assess a penalty or penalties pursuant to Subsection 3.6. If the Hearing Officer finds the student guilty of the illegal use, possession, and/or sale of a drug or narcotic on campus, the Hearing Officer must assess a minimum penalty as provided in Subdivision 3.23 of this Section.
- 3.6 The following penalties may be assessed by the Dean of Students or the Hearing Officer in accordance with the procedures specified in Subdivisions 3.41, 3.42, 3.44 and 3.55:
- 3.61 Disciplinary probation.
- 3.62 Withholding of grades, official transcript and/or degree.
- 3.63 Bar against readmission.
- 3.64 Restitution or reimbursement for damage to or misappropriation of institutional or System property.
- 3.65 Suspension of rights and privileges, including participation in athletic or extracurricular activities.
- 3.66 Failing grade for an examination or assignment or for a course and/or cancellation of all or any portion of prior course credit.
- 3.67 Denial of degree.
- 3.68 Suspension from the institution for a specified period of time.
- 3.69 Expulsion (permanent separation from the institution).
- 3.6(10) Revocation of degree and withdrawal of diploma.
- 3.6(11) Other penalty as deemed appropriate under the circumstances.
- 3.7 Appeal Procedures.--A student may appeal a disciplinary action taken by the Dean

or the Hearing Officer in accordance with the following procedures:

- 3.71 Within fourteen (14) days after the parties have been notified of the decision, either or both parties may give notice of appeal to the chief administrative officer of the institution. If the decision is sent by mail, the date the decision is mailed initiates the fourteen (14) day period. The decision will be reviewed on the basis of the transcript, if any, and evidence considered at the hearing. In order for the appeal to be considered, all the necessary documentation to be filed by the appealing party, including written argument, must be filed with the chief administrative officer within fourteen (14) days after notice of appeal is given and the transcript, if any, is available. Both parties may, at the discretion of the chief administrative officer, present oral argument.
- 3.72 The chief administrative officer may approve, reject, or modify the decision in question or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. It is provided, however, that if the finding as to guilt is upheld in a case involving the illegal use, possession, and/or sale of a drug or narcotic on campus, the penalty may not be reduced below the minimum penalty prescribed by Subdivision 3.23 of this Section.
- 3.73 The action of the chief administrative officer shall be communicated in writing to the student and the Dean of Students within thirty (30) days after the appeal and related documents have been received. The decision of the chief administrative officer is the final appellate review.
- 3.8 Each component institution shall maintain a permanent written disciplinary record for every student assessed a penalty of suspension, expulsion, denial or revocation of degree and/or withdrawal of diploma. A record of scholastic violations shall be maintained for at least five years unless the record is permanent in conjunction with the above stated penalties. A disciplinary record shall reflect the nature of the charge, the disposition of the charge, the penalty assessed and any other pertinent information. This disciplinary record shall be

separate from the student's academic record, shall be treated as confidential, and shall not be revealed except upon written request of the student or in accordance with applicable state or federal laws.

Sec. 4. Student Organizations.

- 4.1 An organization in which membership is limited to students (recognizing that faculty and staff may also be members) of a component institution may become a registered student organization at that institution by complying with the registration procedures established by the chief student affairs officer.
- 4.2 The chief student affairs officer, with the approval of the chief administrative officer, may establish regulations requiring faculty or staff advisers for registered student organizations.
- 4.3 A registered student organization may state that its membership is composed of students, or of students, faculty, and/or staff, of a component institution, but it shall not suggest or imply that it is acting with the authority or as an agency of that institution. A student organization shall not use the name of a component institution or the name of The University of Texas System as a part of the name of the organization, and it shall neither display the seal of either a component institution or The University of Texas System in connection with any activity of the organization nor use such seal or seals as a part of any letterhead, sign, banner, pamphlet, or other printed material that bears the name of the organization.
- 4.4 The chief student affairs officer, with the approval of the chief administrative officer, may issue regulations governing the eligibility of students for participation in organized activities.
- 4.5 Each component institution may establish a committee or committees to assist the chief student affairs officer in overseeing the programs of registered student organizations.
- 4.6 Any student organization is subject to disciplinary action or revocation of registration as a student organization for violation of a rule or regulation of the System and/or of the institution at which the organization is registered.
- 4.7 The chief administrative officer of each component institution of the System shall require and enforce the following:
- 4.71 As a condition to being a registered student organization or

group during a semester, every registered student organization or group shall furnish to the appropriate institutional officer at the beginning of each such semester a complete list of officers or other members of the organization or group who are authorized to speak for or represent the organization or group in its relations with the institution and who are authorized to receive for the organization or group official notices, directives, or information from the institution. Each such list shall be kept current and accurate throughout the semester by the organization or group, and it shall be conclusively presumed that the officers or members whose names are on the list most recently filed by the organization or group are authorized to speak for and represent the organization or group in its relations with the institution and are authorized to receive for the organization or group official notices, directives, or information from the institution.

4.72

No registered student organization or group may have any person as a member who is not either a student or a member of the faculty or staff of the institution. Except pursuant to the provisions of Subsection 6.(10) of this Chapter, no organization or group, whether registered or not, may use any facility of any component institution of the System if it has as a member any person who is not either a student or a member of the faculty or staff of the institution.

4.73

At the beginning of each semester, each registered student organization or group must file with the appropriate institutional officer a written statement that the organization or group does not, and will not during the semester, have as a member any person who is not either a student or a member of the faculty or staff of the institution. If an organization or group fails or refuses to file the required statement, or if the Dean of Students determines that the statement is or has become false, the Dean of Students, after providing notice, shall begin disciplinary proceedings. The Dean or Hearing Officer may cancel

- the registered status of the organization or group or impose other appropriate penalties.
- 4.74 No organization or group, whether registered or not, may use the facilities of any component institution as long as it owes a monetary debt to the institution and the debt is considered delinquent by the crediting institutional agency.
- 4.8 No component institution shall register any student organization or group whose actions or activities, in the opinion of the chief administrative officer or the appropriate Executive Vice Chancellor, are inimical to the educational purpose and work of the institution.
- 4.9 A registered student organization whose registered status has been cancelled by the Dean of Students pursuant to Subdivisions 4.73 or 6.63 of this Chapter may apply for re-registration not less than six months following the date of such cancellation.

Sec. 5. Participation in Student Government.

- 5.1 Students' Associations.--Students' associations currently authorized at the component institutions of the System are hereby approved. They shall have such jurisdictions and shall exercise such powers as the Board may now or hereafter delegate to them.
- 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 laws, 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 do not require administrative approval.
- 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 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-Owned Facilities.

6.1 The campuses of the component institutions of The University of Texas System and the property, buildings or facilities owned or controlled by the System are not open for assembly and expression of free speech 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 the exercise of the right of assembly and free speech on the grounds and in the buildings and facilities of the various 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 the Rules and Regulations of this Section and this Chapter relating to the use of institutional buildings, grounds and other facilities for purposes other than regular academic use.

6.2 Identification Required.

(a) 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 and employees of the component institutions of the System and to protect the property of the System, it is hereby declared that it shall be unlawful for any person on any property either owned or controlled by the System or any component institution to refuse to identify himself or herself to an institutional representative in response to a request. For the purpose of this Subsection, a person identifies himself or herself by: (1) giving his or her name and complete address; and (2) stating truthfully whether or not he or she is a

- student at the institution and whether or not he or she is an employee of the institution.
- (b) For the purpose of Subsection (a), an "institutional representative" is:
 - (1) any member of the Board of Regents or the Executive Secretary to the Board;
 - (2) any administrative officer of the System, including the Chancellor, Executive Vice Chancellors, Vice Chancellors, and the Director of Police;
 - (3) any administrative officer of the component institution, including the chief administrative officer, assistants to the chief administrative officer, vice presidents, dean of students, and any associate or assistant dean of students; and
 - (4) any attorney, peace officer, or security officer of the System or the institution.
 - (c) Any person who refuses to identify himself or herself in accordance with Subsection (a) is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.
 - (d) Any student or employee who refuses to identify himself or herself in accordance with Subsection (a) is, in addition to the penalty prescribed in Subsection (c), subject to discipline.

6.3 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 and employees of the component institutions of the System and to protect the property of the System, it is hereby declared that it shall be unlawful for any person to enter, walk, run, lie, play, remain, or be in the water of any fountain or other artificial body of water located on the campus of any component institution unless such person shall have theretofore been granted permission by the chief administrative officer of that institution to enter, remain, or be in such water.

- (a) It shall further be unlawful for any person to dump, throw, place, or cause to be placed any material, object, trash, waste, or debris in the water of any fountain or other artificial body of water located on the campus of any component institution of the System.

- (b) It shall also be unlawful for any person to damage, deface, or remove any portion of any fountain, monument, or memorial located on the campus of any component institution of the System.
- (c) Any person who violates any portion of Subsection 6.3 shall upon conviction thereof be punished by a fine of not more than \$200.
- (d) Any student or employee who violates any portion of Subsection 6.3 shall, in addition to the penalty prescribed above, be subject to discipline.

6.4 The use of intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas. However, with the prior consent of the chief administrative officer, the foregoing provisions of this Subsection may be waived with respect to any specific event which is sponsored by the institution. In any case, state law will be strictly enforced at all times on all property controlled by the System and its component institutions.

6.5 No individual, organization, group, association, or corporation may use the grounds, buildings, or facilities owned or controlled by any component institution or by the System except as permitted by the provisions of the Regents' Rules and Regulations and approved institutional rules and regulations.

6.6 Solicitation.

- 6.61 The term "solicitation" as used herein means the sale or offer for sale of any property or service, whether for immediate or future delivery; the distribution of material that is designed to encourage the purchase or rental of any property, product, 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; and the request that a vote be cast for or against a candidate, issue, or proposition appearing on the ballot at any election held pursuant to state or federal law.
- 6.62 No solicitation shall be conducted in any building, structure, or facility of any component institution or of the System. The following activities shall be deemed not to be

solicitations prohibited by this subsection if they are conducted in accordance with the rules and regulations of a component institution and in a manner that will not disturb or interfere with the academic or institutional programs being carried on in a building, structure or facility, or do not interfere with entry to or exit from a building, structure or facility:

(1) The distribution, sale or offer for sale of any newspaper, magazine, or other publication by means of an unattended rack or vending machine in an area designated in advance by the chief administrative officer or his or her delegate for the conduct of such activity.

(2) The sale or offer for sale of any food, drink or other product or service that may be lawfully sold by means of a vending machine operated by the institution or its subcontractor in an area designated in advance by the chief administrative officer or his or her delegate for the conduct of such activity.

(3) The sale or offer for sale by a component institution or its subcontractor of any publication of the institution or of any book or other printed material to be used in the regular academic work of the institution.

(4)(a) The operation by the institution of any service or facility maintained for the convenience of the students, staff and/or faculty.

(b) The operation by the institution's subcontractor or lessee (through appropriate written agreements approved as to content by the chief administrative officer of the institution and the appropriate Executive Vice Chancellor, as to form by the Office of General Counsel, and by the Board of Regents through the Chancellor's Docket) of one of the following services or facilities, maintained for the convenience of the students, staff and/or faculty: any bookstore, specialty store, laundry, pharmacy, cafeteria, child care facility (limited to children or bona-fide dependents of students, staff and/or faculty), state or federal credit union (the membership in which must be limited primarily to students, faculty, and staff of the institution but which may include: students,

faculty, and staff of other area institutions of higher education; students, faculty, and staff of other component institutions of the U. T. System; staff members of the System Administration; and staff members of organizations closely related to the institution's educational mission such as ex-student organizations and cooperative bookstores), private post office boxes (the use of which must be limited to students, faculty, and staff), unmanned teller machines (any agreement for the placement of which must include a provision expressly prohibiting advertising the location of the unmanned teller machine to the general public), or travel agency (the use of which must be limited primarily to students, faculty and staff of the institution and which agency must agree to undertake no public advertising concerning the location of the facility).

(5) The sale or offer for sale by the institution or its subcontractor of food and drink items and programs at athletic contests or at any other program or event sponsored or authorized by the institution.

(6) The collection of tuition and fees in connection with enrollment of a student in any course or degree program.

(7) The collection of membership fees or dues by registered student, faculty, or staff organizations at meetings of such organizations scheduled in accordance with the facilities use regulations of any component institution.

(8) The collection of admission fees for the exhibition of movies or other programs that are sponsored by the component institution or by a registered faculty, staff, or student organization, when permitted by and scheduled in accordance with the facilities use regulations of the component institution.

(9) The solicitation of funds by any organization that can present to the chief administrative officer, 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). No

organization may solicit under this subdivision for more than a total of fourteen days, whether continuous or intermittent, during each state fiscal year.

(10) Occasional sales or offers of sales of goods or services that otherwise comply with state law and municipal ordinances and are conducted in the privacy of an individual university residence hall room or individual apartment when the 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, provided that neither sales nor offers of sales of goods or services within a university residence hall room or apartment by the occupant thereof on a continuing or scheduled basis, nor door-to-door sales or offers of sales of goods or services are included in the activity permitted by this exception.

(11) The acknowledgement or advertisement by scoreboard, electronic message or banner displayed at athletic facilities pursuant to an institutional policy concerning approval and selection of advertisement.

6.63

No solicitation shall be conducted on the grounds, sidewalks, or streets on the campus of any component institution or of the System, except by the agents, servants, or employees of that 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.

(1) Solicitation made pursuant to the terms of Subdivision 6.63 must be conducted in such a way (a) that it will not disturb or interfere with the academic or institutional programs being carried on in campus buildings, (b) that it will 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 campus buildings, and (c) that it will not harass, embarrass, or intimidate the person or persons being solicited. If, after such reasonable investigation

as the Dean of Students shall deem appropriate (which investigation shall afford the accused organization every right guaranteed by the due process clauses of the United States and Texas Constitutions) the Dean determines that a solicitation is being conducted in a manner violative of this Subsection, the Dean shall prohibit the offending organization from solicitation on the campus for such period or periods of time as shall be determined to be appropriate and in the case of repeated violations of these solicitation rules, the Dean may cancel the registered status of the offending organization or impose other appropriate penalties.

- (2) The students' association and each registered student organization shall, within thirty days of the beginning of the following long session semester, file with the Dean of Students a statement fully and fairly disclosing the sources and amounts of money which it obtained from solicitations (sales, contributions, and/or other revenues) on the campus during the preceding semester or summer session and fully and fairly disclosing the beneficiaries and amounts of the expenditures which it made during the preceding semester or summer session. A registered student organization which during a semester or summer session received no money or thing of value other than from its own members need file only a statement to that effect. Any organization failing to comply with the provisions of this paragraph shall be prohibited from solicitation on the campus until such organization places itself in compliance.
- (3) 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 at the sole expense of such organization shall comply with the provisions of Subdivisions 6.63(1) and 6.63(2).

6.7 Use of Physical Facilities of the System by Registered Student, Faculty or Staff Organizations or Officially Recognized Alumni Associations.

- 6.71 Registered student, faculty or staff organizations or any officially recognized alumni association that qualifies under Subdivision 6.62(9) of this Section and whose fund-raising activities are dedicated to the benefit of any component institution may use an institution's buildings and/or grounds in compliance with reasonable and nondiscriminatory institutional regulations that shall specify the procedures under which such organizations may reserve the institution's buildings and/or grounds for their use. 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 and/or grounds. Registered student, faculty or staff organizations or alumni associations may not enter into joint sponsorship of any on-campus project or program with individuals, groups, or students that are not registered.
- 6.72 Reasonable and nondiscriminatory regulations may be promulgated to authorize students and registered student organizations, under specified conditions, to petition, post signs, set up booths, and/or peacefully demonstrate on the campus. Such regulations shall prohibit any activity that would interfere with academic and institutional programs.
- 6.73 No person, whether or not a student or employee of a component institution, shall publicly distribute on the campus of any such institution any petition, handbill, or piece of literature that is obscene, libelous, or directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

- 6.74 No person, whether or not a student or employee of a component institution, shall post or carry any sign or poster that is obscene, libelous, or directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
- 6.75 No person, whether or not a student or employee of a component institution, shall install, occupy, or use on the campus of any such institution any booth, if the use of the booth is wholly or partly for the distribution or dissemination of words or material that are obscene, libelous, or directed to inciting or producing imminent lawless action and are likely to incite or produce such action. For the purpose of this provision, the word "booth" includes furniture, enclosure, and any other structure temporarily installed for distributing petitions, handbills, or literature, or for displaying signs, or for raising funds or soliciting tangible items.
- 6.8 The use of student center or student union facilities on the campus of each component institution shall be subject to Regents' Rules and Regulations and to reasonable and nondiscriminatory regulations promulgated by that center's or union's governing board and the component institution and included in the Handbook of Operating Procedures.
- 6.9 Extracurricular student, faculty or staff activities involving the use of System-owned buildings and grounds shall be conducted in accordance with local, state and national law and in accordance with the applicable System and institutional regulations. Such activities shall not disrupt or disturb the academic and institutional programs and shall not result in damage to or defacement of property.
- 6.(10) Use of Grounds and Physical Facilities by Outside Groups, the System as a Joint Sponsor.--Use of grounds and physical facilities of the System, especially auditoriums, gymnasiums, and large rooms, by outside individuals, groups or associations shall be subject to the following rules in which the "System" shall include any component institution.
- 6.(10)1 The System will not permit the unrestricted use by non-System groups of any of its facilities. Whenever non-System groups share in the use of System buildings, it must be upon the invitation of the System, under its joint

- sponsorship, and with the further understanding that all conditions governing such sponsorship are to be set by the System.
- 6.(10)2 The System will enter into joint sponsorship of a project or program only if the educational implications are self-evident and directly supplement the educational purposes of the System and there is to be no private gain for the cooperating individuals, group or associations.
- 6.(10)3 The System, established as a public institution without regard to political affiliation or religious faith, cannot be a joint sponsor with any noncampus organization for political or sectarian gatherings. However, the appearance by or on behalf of a candidate for public office may be authorized under conditions prescribed by the Board in Section 7.2 of this Chapter.
- 6.(10)4 The System, when entering into joint sponsorship of any program or activity, assumes full responsibility for all details and reserves the right to approve all copy for advertising, as well as news releases.
- 6.(10)5 It shall be understood that the scheduling of the System's facilities for System activities shall always have priority over the scheduling of facilities for functions other than System activities.
- 6.(10)6 In the case of programs for which the System is a joint sponsor with an individual, group or organization, the fee to be paid by the co-sponsor will be a matter for negotiation in each case and will be specified in the agreement providing for the joint sponsorship.
- 6.(11) Notwithstanding any other provisions of this Chapter, the chief administrative officer of a component institution may designate specific facilities of a component institution, such as special events 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 institution, appropriate rules and regulations for the reservation and use of such designated Special Use Facilities. Such rules and regulations must restrict

the reservation and use of such facilities in accordance with the following:

- 6.(11)1 Designation as a Special Use Facility shall not constitute the facility as a public facility open to use by non-University persons, groups, associations, or corporations on a first come, first served basis.
- 6.(11)2 Priority in the reservation and use of Special Use Facilities shall be given to activities and events sponsored by the component institution that are in furtherance of and related to the educational, cultural, recreational, and athletic programs of the institution.
- 6.(11)3 As a lower priority, the institutional rules and regulations may provide for reservation and use of Special Use Facilities by non-University individuals, groups, associations or corporations, without the necessity of joint sponsorship by the institution. The institution shall establish rates to be charged for the use of the facility that will, at a minimum, insure recovery of that part of the operating cost of the facility attributable directly or indirectly to such non-University use. If the non-University user charges those attending an event any admission or registration fee, or accepts donations from those in attendance, the 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 non-University user shall be required to remit such excess funds to the institution as an additional charge for the use of the Special Use Facility.
- 6.(11)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.(11)3 above, 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 state, district, or local offices listed on the ballot at the last general election. A religious or political organization shall be permitted to use a Special Use Facility only one time during a calendar year.

- 6.(11)5 The rules and regulations applicable to a Special Use Facility may provide procedures for the rental of space for display of advertising 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 by lighted displays on an electronic scoreboard. Such rules and regulations may further provide procedures 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.

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.

5. U. T. System: Approval of Standard Affiliation Agreements for Educational Experience Programs and Reporting Thereof.--The Board approved the agreements listed below as standard affiliation agreements to be used by The University of Texas System component institutions to provide educational experience programs for selected students in the affiliated facilities.

Further, it was ordered that future agreements which are identical to or substantially similar to these standard affiliation agreements be submitted to the U. T. Board of Regents for approval via the docket after review and approval by the U. T. System Administration.

- a. Educational Experience Program Affiliation Agreement (UTS Form 100-A). See Pages 69 - 70.
- b. Educational Experience Program Affiliation Agreement (UTS Form 100-B). See Pages 71 - 72.
- c. Community Clinical Oncology Program Affiliation Agreement (CCOP Form). See Pages 73 - 81.
- d. Veterans Administration Memorandum of Agreement (long version). See Pages 82 - 87.
- e. Veterans Administration Memorandum of Agreement (short version). See Page 88.
- f. National Institutes of Health Clinical Experience Agreement. See Pages 89 - 92.
- g. U. S. Army Medical Department Memorandum of Agreement (Darnall Hospital version). See Pages 93 - 97.
- h. U. S. Army Medical Department Memorandum of Agreement (William Beaumont Hospital version). See Pages 98 - 100.
- i. U. S. Air Force General Agreement and Memorandum of Understanding. See Pages 101 - 109.

THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

DATE November 1, 1989

TO: Those Who Receive Official Copies of the RRR (list attached)

FROM: Arthur H. Dilly

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-17, III-41 and III-42	Pages III-17, III-41 and III-42
Page VIII-7	Page VIII-7

The amendments approved at the October 13, 1989 meeting of the Board of Regents as well as editorial changes have been incorporated on the revised pages.

AHD/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 October 13, 1989,
and editorial amendments through October 1989
have been issued with this cover sheet)

- 6.261 Appointments within the System to the above specified titles shall be conditioned upon the appointee having resigned any tenured position that the appointee may then hold on the faculty of an educational institution outside the System. Such resignation must be completed and effective prior to the effective date of the appointment at the System component; otherwise, such appointment shall be void and of no effect.
- 6.262 The acceptance of an appointment to a tenured position on the faculty of an educational institution outside the System shall be considered as a resignation of any faculty position with the title of Instructor, Assistant Professor, Associate Professor, or Professor that such appointee may hold at a System component.
- 6.3 Termination by an institution of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of appointment, except as is otherwise provided in Subsection 6.26 or by resignation or retirement, will be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the System.
- 6.31 A chief administrative officer may for grave cause suspend an accused faculty member pending immediate investigation or speedy trial as hereinafter provided.
- 6.32 In cases of incompetency, gross immorality, or felony, where the facts are admitted, summary dismissal will follow.
- 6.33 In cases where other offenses are charged, and in all cases where the facts are in dispute, the accused faculty member will be informed in writing of the charges,

change the policies or otherwise bind the System or any of its component institutions, taken by any individual or any association or agency, shall be of no effect whatsoever until the proposed action has been approved by the chief administrative officer concerned, if any, the appropriate Executive Vice Chancellor, and the Chancellor, and ratified by the Board.

Sec. 30. Institutional Employees as Students.--The Handbook of Operating Procedures for each of the component teaching institutions shall express the institutional policy as to the amount of course work full-time and part-time employees shall be permitted to carry.

Sec. 31. Retirement and Modified Service.

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

31.2 The Board of Regents, upon the recommendation of the appropriate Executive Vice Chancellor, Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint a person who has retired to modified service. Retirement is defined as withdrawal from employment with The University of Texas System or a component institution with a retirement benefit.

31.3 Recommendation for, and appointment to, modified service shall be made only if the service of the individual will result in a significant benefit to the System or a particular component institution.

31.4 Appointment to modified service shall be without tenure, for not more than one academic year and shall not exceed one-half time. The notice provisions of Section 6.7 of this Chapter shall not apply to nonrenewal of such appointments. If the System or a component institution determines that it is to the benefit of the System or the institution, it may offer reappointment to modified service.

- 31.5 The duties, work load, salary rate or compensation of an individual on modified service shall be in accordance with policies and procedures of The University of Texas System or the component institution.
- 31.6 Upon recommendation of the appropriate Executive Vice Chancellor, the Chancellor and, when appropriate, the chief administrative officer of the affected component institution, the Board of Regents may, by unanimous vote of the members present, make exceptions to this Section in special cases when the Board finds that the services of a particular individual will be of unique benefit to the System or a component institution.

Sec. 32. Faculty and Staff Organizations.

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

<u>Full Title</u>	<u>Short Title</u>
4.93 The University of Texas of the Permian Basin Division of Education	
4.94 The University of Texas of the Permian Basin Division of Humanities and Fine Arts	
4.95 The University of Texas of the Permian Basin Division of Science and Engineering	
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	

Editorial Amendment
Issued October 1989

REPORT AND RECOMMENDATIONS OF THE PERSONNEL AND AUDIT COMMITTEE (Pages 34 - 50).--Committee Chairman Roden reported that the Personnel and Audit 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 Personnel and Audit Committee and approved in open session and without objection by the U. T. Board of Regents:

Minute Order
10/12/37

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 6, Subsection 6.3 (Tenure, Promotion, and Termination of Employment) and Section 31 (Retirement and Modified Service).--In order to comply with recent State legislation which prohibits institutions of higher education from imposing a mandatory retirement age for tenured faculty, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 6, Subsection 6.3 (Tenure, Promotion, and Termination of Employment) and Section 31 (Retirement and Modified Service) to read as follows:

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

6.3 Termination by an institution of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of appointment, except as is otherwise provided in Subsection 6.26 or by resignation or retirement, will be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the System.

b. Sec. 31. Retirement and Modified Service.

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

31.2 The Board of Regents, upon the recommendation of the appropriate Executive Vice Chancellor, Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint a person who has retired to modified service. Retirement is defined as withdrawal from employment with The University of Texas System or a component institution with a retirement benefit.

- 31.3 Recommendation for, and appointment to, modified service shall be made only if the service of the individual will result in a significant benefit to the System or a particular component institution.
- 31.4 Appointment to modified service shall be without tenure, for not more than one academic year and shall not exceed one-half time. The notice provisions of Section 6.7 of this Chapter shall not apply to nonrenewal of such appointments. If the System or a component institution determines that it is to the benefit of the System or the institution, it may offer reappointment to modified service.
- 31.5 The duties, work load, salary rate or compensation of an individual on modified service shall be in accordance with policies and procedures of The University of Texas System or the component institution.
- 31.6 Upon recommendation of the appropriate Executive Vice Chancellor, the Chancellor and, when appropriate, the chief administrative officer of the affected component institution, the Board of Regents may, by unanimous vote of the members present, make exceptions to this Section in special cases when the Board finds that the services of a particular individual will be of unique benefit to the System or a component institution.

Minutes of 2.
10/12/89

U. T. Board of Regents - Regents' Rules and Regulations, Part Two: Approval of Amendments to Chapter III, Section 10 (Travel Authorization, Reimbursement, and Institutional Regulations) and Authorization for the Executive Secretary to the Board to Make Appropriate Editorial Changes Therein.--Approval was given to amend the Regents' Rules and Regulations, Part Two, Chapter III, Section 10 (Travel Authorization, Reimbursement, and Institutional Regulations) as set forth below:

✓ a. Present Section 10 (Absence from Usual and Regular Duties, Authorization for Absence, Including Travel, and Travel Expense Reimbursement) was deleted in its entirety.

✓ b. A new Section 10 was added to read as follows:

Sec. 10. Travel Authorization, Reimbursement, and Institutional Regulations.

10.1 Authorization for Travel.--Authorization for travel from the city or town where the officer or employee is regularly stationed will be

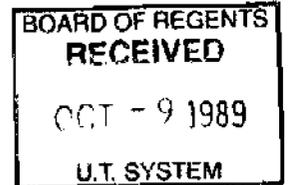
Academic Component Institutions:
The University of Texas at Arlington
The University of Texas at Austin
The University of Texas at Dallas
The University of Texas at El Paso
The University of Texas at San Antonio
The University of Texas at Tyler
The University of Texas at Brownsville
The University of Texas at Permian Basin
The University of Texas at San Antonio
The University of Texas Institute of Texas Cultures at San Antonio
The University of Texas at Tyler



Health Component Institutions:
The University of Texas Southwestern Medical Center at Dallas
The University of Texas Medical Branch at Galveston
The University of Texas Health Science Center at Houston
The University of Texas Health Science Center at San Antonio
The University of Texas M.D. Anderson Cancer Center
The University of Texas Health Center at Tyler

THE UNIVERSITY OF TEXAS SYSTEM

601 COLORADO STREET AUSTIN, TEXAS 78701



October 6, 1989

Office of the Chancellor
(512) 499-4200

MEMORANDUM

TO: Mr. Arthur H. Dilly
FROM: James P. Duncan
SUBJECT: Regents' Rule Correction

Hold for MG
I agree - Editorial
A
10/9

In spite of our efforts to catch all the editorial changes for the agenda item related to institutional title/names at the August Board meeting (including circulating to components for review), one correction was not included--change in name for the U. T. San Antonio "College of Sciences and Mathematics" to the "College of Sciences and Engineering."

I have attached a copy of the approval for the change from the Coordinating Board, dated October 11, 1984. I recommend that we treat this simply as an editorial correction and redistribute a corrected page at the time of your next distribution of Rules changes.

Let me know if you need additional information.

JPD:hw
Attachment
xc: Dr. Hans Mark

on file

COORDINATING BOARD
TEXAS COLLEGE AND UNIVERSITY SYSTEM

P.O. Box 12788 • Austin, Texas 78711 • 512-475-0718

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M. Harvey Weil
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Preston Smith
Gus L. Wilkins
Kenneth H. Ashworth
COMMISSIONER

October 11, 1984

Dr. James P. Duncan
Executive Vice Chancellor for Academic Affairs
The University of Texas System
601 Colorado Street
Austin, Texas 78701

Dear Dr. Duncan:

I am pleased to inform you that we have approved under our nonsubstantive procedures the request from The University of Texas at San Antonio to change the name of the College of Sciences and Mathematics to the College of Sciences and Engineering.

This approval is given with the understanding that the request is for a change of name only and does not imply the addition of any new administrative units, programs, courses, or other potential cost to the institution or the state.

Best wishes on the implementation of this change.

Cordially,

Kenneth H. Ashworth

cc: President James W. Wagener
Dr. Gordon H. Lamb ✓
Dr. William H. Sanford

September 7, 1989

Distribution List for Official Copies of
Regents' Rules and Regulations

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Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Asset Management	
Executive and Research Assistant to the Chancellor	
Vice Chancellor for Business Affairs	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers of Component Institutions	16
Vice Chancellor for Budgets & Human Resources, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	45

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.

September 7, 1989

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

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Legislative Budget Board
Second Floor, Capitol
Austin, Texas 78711

Mr. Lawrence Alwin
State Auditor
406 John H. Reagan Building
Austin, Texas 78711

State Auditor's Office
The University of Texas at Austin
Main Building 311
Austin, Texas 78712

Mr. James R. Sanders
Legislative Reference Librarian
Second Floor, Capitol
Austin, Texas 78711

Publications Clearing House
Room 307, Texas State Library
Austin, Texas 78711

~~Dr. Kenneth H. Ashworth
Commissioner, Texas Higher
Education Coordinating Board
200 E. Riverside Drive, Second Level
Austin, Texas 78704~~

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

Mr. W. C. Lancaster
Vice Chancellor for Budgets
and Human Resources
The Texas A&M University System
College Station, Texas 77843-1117

THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

DATE _____

TO: Those Who Receive Official Copies of RRR (list attached)
FROM: Arthur H. Dilly
SUBJECT: Regents' Rules and Regulations, Part One - Amendments

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

"A"

Cover Page
Page I-1
Pages II-28, II-29, II-30
and II-31
Page VI-22
Pages VIII-3, VIII-5, VIII-6,
VIII-7, VIII-8 and VIII-9

"B"

Cover Page
Page I-1
Pages II-28, II-29, II-30
and II-31
Page VI-22
Pages VIII-3, VIII-5, VIII-6,
VIII-7, VIII-8, VIII-9
and VIII-10

The amendments approved at the August 10, 1989 meeting of the Board of Regents as well as editorial changes have been incorporated on the revised pages.

AHD/lp

Enclosures

Official Copy
August 10, 1989

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, 1989,
and editorial amendments through September 1989
have been issued with this cover sheet)

CHAPTER I

BOARD OF REGENTS

- Sec. 1. Authority. The Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The University of Texas by Article VII, Section 10 of the Texas Constitution has delegated the power and authority to administer The University of Texas System to the Board of Regents in broad terms. (See Sections 65.11 et seq., Texas Education Code.) Texas cases construing these statutes have held that the Board of Regents has wide discretion in exercising its power and authority and that the rules adopted by the Board of Regents have the same force as statutes. Foley v. Benedict, 122 Tex. 193, 55 S.W.2d 805 (1932); Rainey v. Malone, 141 S.W.2d 713 (Tex. Civ. App.--Austin 1940, no writ); Morris v. Nowotny, 323 S.W.2d 301 (Tex. Civ. App.--Austin 1959, writ ref'd n.r.e.); cert. denied, 361 U.S. 889 (1959). The System's lands and buildings are state property subject to the control of the Board of Regents as the state's agent. Splawn v. Woodard, 287 S.W. 577 (Tex. Civ. App.--Austin 1926, no writ); Walsh v. University of Texas, 169 S.W.2d 993 (Tex. Civ. App.--El Paso 1942, writ ref'd).
- Sec. 2. Composition. The Board of Regents (hereinafter sometimes referred to as "Board") is composed of nine members appointed by the Governor, with the advice and consent of the Senate, for staggered terms of six years each, the terms of three members expiring on February 1 of odd-numbered years.
- Sec. 3. Chairman of the Board.
- 3.1 Election of Chairman.--The Chairman of the Board shall be elected by the Board from its number, shall serve at the pleasure of the Board, and shall report and be responsible to the Board. In case of the death, resignation, disability, removal, or disqualification of the Chairman, the Board shall elect a successor Chairman as soon as practicable. In no event shall a Board member serve as Chairman for more than 24 consecutive months without submitting his or her resignation as Chairman, but such member shall be eligible for re-election as Chairman.

Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Asset Management, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive Assistant to the Chancellor, and the Director of Development, or their delegates, serve as ex officio members of this Council. The 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 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)
- 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.
- 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.

summer session and fully and fairly disclosing the beneficiaries and amounts of the expenditures which it made during the preceding semester or summer session. A registered student organization which during a semester or summer session received no money or thing of value other than from its own members need file only a sworn statement to that effect. Any organization failing to comply with the provisions of this paragraph shall be prohibited from solicitation on the campus until such organization places itself in compliance.

- 6.14 Use of Physical Facilities of the System by Registered Student, Faculty or Staff Organizations or Officially Recognized Alumni Associations.--Registered student, faculty or staff organizations or any officially recognized alumni association that qualifies under Subdivision 6.12(9) of this Section and whose fund-raising activities are dedicated to the benefit of any component institution may use an institution's buildings and/or grounds in compliance with reasonable and nondiscriminatory institutional regulations that shall specify the procedures under which such organizations may reserve the institution's buildings and/or grounds for their use. 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 an institution's buildings and/or grounds. Registered student, faculty or staff organizations or alumni associations may not enter into joint sponsorship of any on-campus project or program with individuals, groups, or students that are not registered.
- 6.15 Reasonable and nondiscriminatory regulations may be promulgated to authorize students and registered student organizations, under specified conditions, to petition, post signs, set up booths, and/or

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>
4.1	The University of Texas System Board of Regents, including The University of Texas Permanent University Fund	U.T. Board of Regents Permanent University Fund
4.2	The University of Texas System Administration	U.T. System Administration
4.3	The University of Texas at Arlington	U.T. Arlington
4.31	The University of Texas at Arlington School of Architecture	
4.32	The University of Texas at Arlington College of Business Administration	
4.33	The University of Texas at Arlington College of Engineering	
4.34	The University of Texas at Arlington College of Liberal Arts	
4.35	The University of Texas at Arlington School of Nursing	
4.36	The University of Texas at Arlington College of Science	
4.37	The University of Texas at Arlington Graduate School of Social Work	
4.38	The University of Texas at Arlington Graduate School	

	<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 Dallas	U.T. Dallas
	4.51 The University of Texas at Dallas School of Arts and Humanities	
	4.52 The University of Texas at Dallas Erik Jonsson School of Engineering and Computer Science	
	4.53 The University of Texas at Dallas School of General Studies	
	4.54 The University of Texas at Dallas School of Human Development	
	4.55 The University of Texas at Dallas School of Management	
	4.56 The University of Texas at Dallas School of Natural Sciences and Mathematics	
	4.57 The University of Texas at Dallas School of Social Sciences	
	4.58 The University of Texas at Dallas Callier Center for Communication Disorders	
4.6	The University of Texas at El Paso	U.T. El Paso
	4.61 The University of Texas at El Paso College of Business Administration	
	4.62 The University of Texas at El Paso College of Education	

<u>Full Title</u>	<u>Short Title</u>
4.63 The University of Texas at El Paso College of Engi- neering	
4.64 The University of Texas at El Paso College of Liberal Arts	
4.65 The University of Texas at El Paso College of Nursing and Allied Health	
4.66 The University of Texas at El Paso College of Science	
4.67 The University of Texas at El Paso Graduate School	
4.7 The University of Texas - Pan American	U.T. Pan American
4.71 The University of Texas - Pan American College of Arts and Sciences	
4.72 The University of Texas - Pan American School of Business Administration	
4.73 The University of Texas - Pan American School of Education	
4.74 The University of Texas - Pan American Division of Health Related Professions	
4.8 The University of Texas - Pan American at Brownsville	U.T. Pan American (Brownsville)
4.9 The University of Texas of the Permian Basin	U.T. Permian Basin
4.91 The University of Texas of the Permian Basin Division of Behavioral Science and Physical Education	
4.92 The University of Texas of the Permian Basin Division of Business	

<u>Full Title</u>	<u>Short Title</u>
4.93 The University of Texas of the Permian Basin Division of Education	
4.94 The University of Texas of the Permian Basin Division of Humanities and Fine Arts	
4.95 The University of Texas of the Permian Basin Division of Science and Engineering	
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 Mathematics	
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.(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

<u>Full Title</u>	<u>Short Title</u>
4.(13)7 The University of Texas School of Nursing at Galveston	U.T. Nursing School - Galveston
4.(14) The University of Texas Health Science Center at Houston	U.T. Health Science Center - Houston
4.(14)1 The University of Texas Medical School at Houston	U.T. Medical School - Houston
4.(14)2 The University of Texas Dental Branch at Houston	U.T. Dental Branch - Houston
4.(14)3 The University of Texas Graduate School of Bio- medical Sciences at Houston	U.T. G.S.B.S. - Houston
4.(14)4 The University of Texas School of Allied Health Sciences at Houston	U.T. Allied Health Sciences School - Houston
4.(14)5 The University of Texas School of Public Health at Houston	U.T. Public Health School - Houston
4.(14)6 The University of Texas Speech and Hearing Institute at Houston	U.T. Speech and Hearing Insti- tute - Houston
4.(14)7 The University of Texas School of Nursing at Houston	U.T. Nursing School - Houston
4.(15) The University of Texas Health Science Center at San Antonio	U.T. Health Science Center - San Antonio
4.(15)1 The University of Texas Medical School at San Antonio	U.T. Medical School - San Antonio
4.(15)2 The University of Texas Dental School at San Antonio	U.T. Dental School - San Antonio
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4.(15)4 The University of Texas School of Allied Health Sciences at San Antonio	U.T. Allied Health Sciences School - San Antonio

<u>Full Title</u>	<u>Short Title</u>
4.(15)5 The University of Texas School of Nursing at San Antonio	U.T. Nursing School - San Antonio
4.(16) The University of Texas M.D. Anderson Cancer Center	U.T. M.D. Anderson Cancer Center
4.(16)1 The University of Texas M.D. Anderson Hospital	U.T. M.D. Anderson Hospital
4.(16)2 The University of Texas M.D. Anderson Tumor Institute	U.T. M.D. Anderson Tumor Institute
4.(16)3 The University of Texas M.D. Anderson Science Park	U.T. M.D. Anderson Science Park
4.(17) The University of Texas Health Center at Tyler	U.T. Health Center - Tyler
4.(18) The University of Texas System Bauer House	U.T. Bauer House

September 7, 1989

Distribution List for Official Copies of
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200 E. Riverside Drive, Second Level
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(NOTE: Send only when there are
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leaves.)

Mr. W. C. Lancaster
Vice Chancellor for Budgets
and Human Resources
The Texas A&M University System
College Station, Texas 77843-1117



Office of the Board of Regents
THE UNIVERSITY OF TEXAS SYSTEM

MEMORANDUM

REFERRED TO Francie Fredrick

- | | |
|---|--|
| <input type="checkbox"/> PER OUR CONVERSATION | <input type="checkbox"/> PLEASE RETURN |
| <input type="checkbox"/> FOR YOUR INFORMATION | <input type="checkbox"/> PER YOUR REQUEST |
| <input checked="" 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 type="checkbox"/> FOR YOUR FILE |

*Perfect!
Thanks
9/11*

REMARKS:

Would you check Sec. 1 to ensure we accurately picked up your suggested changes of 7/19/89 and return all to me ASAP.

Thanks.

SIGNATURE Margaret Glover DATE 9/11

To MB
 Date 7/19 Time 9:20

WHILE YOU WERE OUT
 M Francis Frederick
 of _____
 Phone _____

Area Code	Number	Extension
TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT
RETURNED YOUR CALL		

Message She will be sending over some "editorial amendments" to RRR Part One, Chapter I, Section 1, that have been bothering her for the last ten years. They are not imperative at this time, but she would like to see them done.
They involve legal citations.
 Operator _____

add - (OK)
 See note to me ox
 from Francis -
 I will include
 editorial amend-
 ments in next
 batch of RRR
 pages that are dis-
 tributed - 7/31
 mg

CHAPTER I

BOARD OF REGENTS

Sec. 1. Authority. The Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The University of Texas by Article VII, Section 10 of the Texas Constitution has delegated the power and authority to administer The University of Texas System to the Board of Regents in broad terms. (See Sections 65.11 et seq., Texas Education Code.) Texas cases construing these statutes have held that the Board of Regents has wide discretion in exercising its power and authority and that the rules adopted by the Board of Regents have the same force as statutes. Foley v. Benedict, 122 Tex. 193, 55 S.W.2d 805 (1932); Rainey v. Malone, 141 S.W.2d 713 (Tex. Civ. App.--Austin 1940, no writ); Morris v. Nowotny, 323 S.W.2d 301 (Tex. Civ. App.--Austin 1959, writ ref'd n.r.e.); cert. denied, 361 U.S. 889 (1959). The System's lands and buildings are state property subject to the control of the Board of Regents as the state's agent. Splawn v. Woodard, 287 S.W. 677 (Tex. Civ. App.--Austin 1926, no writ); Walsh v. University of Texas, 169 S.W.2d 993 (Tex. Civ. App.--El Paso 1942, writ ref'd).

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Editorial Amendment
Issued September 1989

✓
Sec. 1. Authority. The Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The University of Texas by Article VII, Section 10X of the Texas ConstitutionX has delegated the power and authority to administer The University of Texas System to the Board of Regents in broad terms. (See Sections 65.11 et seq., Texas Education Code.) Texas cases construing these statutes have held that the Board of Regents has wide discretion in exercising its power and authority and that the rules adopted by the Board of Regents have the same force as statutes. Foley v. Benedict, 122 Tex. 193, 55 S.W.2d 805 (1932); Rainey v. Malone, 141 S.W.2d 713 (Tex. Civ. App.--Austin 1940, no writ); Morris v. Nowotny, 323 S.W.2d 301 (Tex. Civ. App.--Austin 1959, writ ref'd n.r.e.); cert. denied, 361 U.S. 889 [7-80-S.Ct.-164, 4-17-Ed-2d-124] (1959). The System's lands and buildings are state property subject to the control of the Board of Regents as the state's agent. Splawn v. Woodard, 287 S.W. 677 (Tex. Civ. App.--Austin 1926, no writ); Walsh v. University of Texas, 169 S.W.2d 993 Tex. Civ. App.--El Paso 1942, writ ref'd).

delete

*Margaret -
I'm suggesting
the editorial changes
marked to conform
the citations to common
acceptable style. Some
of the changes involved
spacing only. If you are
comfortable pursuing, I'll
be happy to look
over my draft.
editorial revision
Thanks -
Francie
7-19-89*

CHAPTER I

BOARD OF REGENTS

a/b
MG:
These are the
edits marked with
77. JPD

--AUSTIN

--AUSTIN

Sec. 1. Authority. The Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The University of Texas by Article VII, Section 10 of the Texas Constitution has delegated the power and authority to administer The University of Texas System to the Board of Regents in broad terms. (See Sections 65.11 et seq., Texas Education Code.) Texas cases construing these statutes have held that the Board of Regents has wide discretion in exercising its power and authority and that the rules adopted by the Board of Regents have the same force as statutes. Foley v. Benedict, 122 Tex. 193, 55 S.W.2d 805 (1932); Rainey v. Malone, 141 S.W.2d 713 (Tex. Civ. App. 1940, no writ history); Morris v. Nowotny, 323 S.W.2d 301 (Tex. Civ. App. 1959, writ refused n.r.e.); cert. deny, 361 U.S. 889 (1959). 80 S.Ct. 164, 4 L.Ed. 2d 124. The System's lands and buildings are state property subject to the control of the Board of Regents as the state's agent. Splawn v. Woodard, 287 S.W. 677 (Tex. Civ. App. 1926, no writ history); Walsh v. University of Texas, 169 S.W.2d 993 (Tex. Civ. App. 1942, writ refused).

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Sec. 2. Composition. --The Board of Regents (hereinafter sometimes referred to as "Board") is composed of nine members appointed by the Governor, with the advice and consent of the Senate, for staggered terms of six years each, the terms of three members expiring on February 1 of odd-numbered years.

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Sec. 3. Chairman of the Board.

3.1 Election of Chairman. --The Chairman of the Board shall be elected by the Board from its number, shall serve at the pleasure of the Board, and shall report and be responsible to the Board. In case of the death, resignation, disability, removal, or disqualification of the Chairman, the Board shall elect a successor Chairman as soon as practicable. In no event shall a Board member serve as Chairman for more than 24 consecutive months without submitting his or her resignation as Chairman, but such member shall be eligible for re-election as Chairman.

SPECIAL ITEMS

1.

Minutes
8/10/89

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendments to Chapter II, Section 12, Subsection 12.1 (Chief Administrative Officers of Component Institutions).--Upon recommendation of the Executive Committee, the Board amended the Regents' Rules and Regulations, Part One, Chapter II, Section 12, Subsection 12.1 concerning the selection process for chief administrative officers of component institutions of The University of Texas System to read as set forth below:

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 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)

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.

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

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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.

Essentially, these changes will reduce the size of the presidential selection advisory committee from 20 to 15 while retaining its diversity of membership. An alternative method of selection, when there is a preexisting slate of potential candidates, will retain advisory input from faculty, student and community groups.

Minutes 2.
8/10/89

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter VI, Section 6, Subsection 6.14 (Use of University-Owned Facilities).--Approval was given to amend the Regents' Rules and Regulations, Part One, Chapter VI, Section 6, Subsection 6.14 relating to use of University-owned facilities to read as follows:

6.14 Use of Physical Facilities of the System by Registered Student, Faculty or Staff Organizations or Officially Recognized Alumni Associations.--Registered student, faculty or staff organizations or any officially recognized alumni association that qualifies under subdivision 6.12(9) of this Section and whose fund-raising activities are dedicated to the benefit of any component institution may use an institution's buildings and/or grounds in compliance with reasonable and nondiscriminatory institutional regulations that shall specify the procedures under which such organizations may reserve the institution's buildings and/or grounds for their use. 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 an institution's buildings and/or grounds. Registered student, faculty or staff organizations or alumni associations may not enter into joint sponsorship of any on-campus project or program with individuals, groups, or students that are not registered.

3. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendments to Chapter VIII, Section 4 (Institutions and Entities Composing the System).--The Board, upon recommendation of the Executive Committee, amended the Regents' Rules and Regulations, Part One, Chapter VIII, Section 4 (Institutions and Entities Composing the System) as set forth below:

a. Subdivision 4.31 of Subsection 4.3 was amended to read as follows:

4.31 The University of Texas
at Arlington School
of Architecture

b. Subsection 4.5 was amended by renumbering present Subdivisions 4.52 through 4.57 as Subdivisions 4.53 through 4.58, respectively; adding a new Subdivision 4.52; and amending the renumbered Subdivision 4.55 to read as follows:

4.52 The University of Texas
at Dallas Erik Jonsson
School of Engineering
and Computer Science

4.55 The University of Texas
at Dallas School of
Management

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter VI, Section 6, Subsection 6.14 (Use of University-Owned Facilities).--Approval was given to amend the Regents' Rules and Regulations, Part One, Chapter VI, Section 6, Subsection 6.14 relating to use of University-owned facilities to read as follows:

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- Minutes*
8/10/89
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at Dallas Erik Jonsson
School of Engineering
and Computer Science

4.55 The University of Texas
at Dallas School of
Management

c. Present Subsection 4.(10) was deleted and present Subsections 4.7 through 4.9 and 4.(11) through 4.(17) were renumbered as Subsections 4.9 through 4.(18), respectively.

d. A new Subsection 4.7 was added to read as follows:

	<u>Full Title</u>	<u>Short Title</u>
4.7	The University of Texas - Pan American	U. T. Pan American
4.71	The University of Texas - Pan American College of Arts and Sciences	
4.72	The University of Texas - Pan American School of Business Administration	
4.73	The University of Texas - Pan American School of Education	
4.74	The University of Texas - Pan American Division of Health Related Professions	

e. A new Subsection 4.8 was added to read as follows:

	<u>Full Title</u>	<u>Short Title</u>
4.8	The University of Texas - Pan American at Brownsville	U. T. Pan American (Brownsville)

f. Renumbered Subsection 4.9 was amended as follows:

	<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 Division of Behavioral Science and Physical Education	
4.92	The University of Texas of the Permian Basin Division of Business	
4.93	The University of Texas of the Permian Basin Division of Education	
4.94	The University of Texas of the Permian Basin Division of Humanities and Fine Arts	
4.95	The University of Texas of the Permian Basin Division of Science and Engineering	

- g. Renumbered Subdivision 4.(10)5 was amended to read as follows:

<u>Full Title</u>	<u>Short Title</u>
4.(10)5 The University of Texas Institute of Texan Cultures at San Antonio	U. T. Institute of Texan Cultures - San Antonio

4. U. T. Board of Regents: Election of Vice-Chairman Sam Barshop to Serve as a Member of the Board of Trustees of the Texas Growth Fund.--The amendment to the Texas Constitution which established the Texas Growth Fund provides that it be managed by a Board of Trustees composed of an elected representative from The University of Texas System Board of Regents, The Texas A&M University System Board of Regents, the trustees of the Teacher Retirement System, the Employees Retirement System, the State Board of Education and four public members appointed by the Governor.

At the suggestion of Chairman Beecherl and upon motion of Regent Blanton, seconded by Vice-Chairman Roden, the Board unanimously elected Vice-Chairman Sam Barshop to serve as the Regental representative on the Board of Trustees of the Texas Growth Fund.

5. U. T. System: Approval of Requirement to Offer a Three Installment Payment Plan for Tuition and Fees Effective with the Fall Semester 1989 and Authorization for Certain Institutions to Continue the Four Installment Payment Plan for the Fall Semester 1989 Only.--The 71st Legislature, Regular Session, 1989, adopted House Bill 558 which amends Section 54.007 of the Texas Education Code to require public institutions to offer students only a three installment payment plan for tuition and certain fees rather than the previously authorized two and four installment payment plans. In compliance with the requirements of House Bill 558, the Board:

- a. Required The University of Texas System component institutions to offer only a three installment payment plan option for tuition and fees with one-half payment of tuition and fees due in advance of the beginning of the fall and spring semesters and one-quarter payments due prior to the start of the sixth and eleventh class weeks effective with the Fall Semester 1989
- b. Authorized the U. T. System component institutions listed below to extend the current four installment payment plan option for tuition and fees for the Fall Semester 1989 only:

The University of Texas at Arlington
The University of Texas at Tyler
The University of Texas Southwestern
Medical Center at Dallas
The University of Texas Medical
Branch at Galveston
The University of Texas Health Science
Center at Houston
The University of Texas Health Science
Center at San Antonio.

THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

5/1
11/11/89
7

DATE May 1, 1989

TO: _____
FROM: Arthur H. Dilly
SUBJECT: Regents' Rules and Regulations, Part One - Amendments

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Pages I-7 through I-15, I-17	Pages I-7 through I-15, I-17
Page III-36	Page III-36

The amendments approved at the April 6, 1989 meeting of the U. T. Board of Regents as well as editorial amendments have been incorporated on the revised pages.

AHD/lp

Enclosures

October 25, 1988

Distribution List of Official Copies of
Regents' Rules and Regulations

Board of Regents & Office of Board of Regents	12
Executive Associate for Economic Affairs	1
Legislative Budget Board	1
Governor's Budget and Planning Office	1
Publications Clearing House	1
State Auditor & U. T. Austin Representative	2
Legislative Reference Librarian	1
System Administration	9
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Asset Management	
Executive and Research Assistant to the Chancellor	
Vice Chancellor for Business Affairs	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers, Component Institutions	14
Vice Chancellor for Budgets & Human Resources, 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.

October 25, 1988

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

Mr. James P. Oliver, Director
Legislative Budget Board
Second Floor, Capitol
Austin, Texas 78711

Mr. Lawrence Alwin
State Auditor
406 John H. Reagan Building
Austin, Texas 78711

State Auditor's Office
The University of Texas at Austin
Main Building 311
Austin, Texas 78712

Mr. James R. Sanders
Legislative Reference Librarian
Second Floor, Capitol
Austin, Texas 78711

Publications Clearing House
Room 307, Texas State Library
Austin, Texas 78711

~~Dr. Kenneth H. Ashworth
Commissioner, Texas Higher
Education Coordinating Board
200 E. Riverside Drive, Second Level
Austin, Texas 78704~~

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

Mr. W. C. Lancaster
Vice Chancellor for Budgets
and Human Resources
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 April 6, 1989,
and editorial amendments through April 1989
have been issued with this cover sheet)

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) Personnel and Audit Committee; (c) Academic Affairs Committee; (d) Health Affairs Committee; (e) Finance and Facilities Committee; (f) Land and Investment 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

Editorial Amendment
Issued April 1989

- the Board, and, if confirmed, the appointment shall stand until the time for appointment of Chairmen of the standing committees as provided in Subdivision 7.113 of this chapter.
- 7.13 Authority of Standing Committees.--The authority of standing committees of the Board shall be subject to action of the whole Board and the committees' actions shall be referred to the Board before they shall become effective.
- 7.14 Duties of the Executive Committee.--The Executive Committee, after appropriate consultation with other members of the Board, shall act for the Board on emergency items that require immediate action between meetings of the Board; provided, at each Board meeting, the Executive Committee shall report, for ratification and approval, all actions taken by it since the last meeting of the Board.
- 7.15 Duties of the Personnel and Audit Committee.--The Personnel and Audit Committee shall:
- 7.151 Counsel with the Chancellor and recommend appropriate Board action with respect to any recommendations by the Chancellor related to the appointment, promotion, and dismissal of such System Administration Officers as report directly or indirectly to the Chancellor.
- 7.152 Recommend to the Board all compensation for the System Administration and the rates of professional compensation.
- 7.153 Consider and recommend to the Board matters related to all employee personnel programs, fringe benefits, retirement programs, and labor relations in the System Administration and the component institutions.

- 7.154 Obtain, review, and report to the Board on all State, System Administration, and institutional audit reports.
 - 7.155 Exercise supervision over post-auditing activities related to the conduct and administration of the System and component institutions.
 - 7.156 Transmit to the Chancellor, subject to the prior approval of the Board, such instructions as it deems necessary for the enforcement of sound accounting and auditing practices.
 - 7.157 Initiate System Administration and institutional audits as deemed necessary to ensure management control within The University of Texas System. (In this regard, the Chairman of the Personnel and Audit Committee shall have direct access to the person who occupies the position of chief auditor of the System.)
- 7.16 Duties of the Academic Affairs Committee.--
The Academic Affairs Committee shall:
- 7.161 Consider and report to the Board on matters concerned with substantive aspects of policies and programs related to the academic philosophy and objectives of the general academic institutions; with University relations; and with general academic planning, instruction, and research.
 - 7.162 Recommend to the Board policies relating to soliciting and securing gifts and endowments for the University's general academic institutions and the acceptance, use, and allocation of such gifts and endowments including recommendations on initial appointments to professorships and chairs.

- 7.163 Consider and report to the Board on all matters affecting the libraries of the general academic institutions.
- 7.164 Recommend to the Finance and Facilities Committee matters which commit the general academic institutions to operating expenditures in future years.
- 7.165 Consider and recommend to the Finance and Facilities Committee the annual operating budgets of the general academic institutions, including rates of compensation.
- 7.166 Consider and recommend to the Finance and Facilities 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.
- 7.169 Consider and report to the Board on matters relating to the research, training, and community service activities at the general academic institutions.

Editorial Amendment
Issued April 1989

- 7.16(10) Consider and recommend to the Board the acceptance and execution of grants and contracts for research, training, and community service at the general academic institutions.
- 7.16(11) Counsel with the Chancellor and recommend appropriate Board action with respect to any recommendations by the Executive Vice Chancellor for Academic Affairs related to the appointment, promotion, and dismissal of such System Administration Officers as report directly or indirectly to the Executive Vice Chancellor for Academic Affairs.
- 7.16(12) Consider and make recommendations to the Finance and Facilities Committee concerning capital improvement requests as related to the approved missions of the general academic institutions.
- 7.17 Duties of the Health Affairs Committee.--
The Health Affairs Committee shall:
 - 7.171 Consider and report to the Board on matters concerned with substantive aspects of policies and programs related to the academic philosophy and objectives of the health-related institutions; with University relations; and with health-related academic planning, instructions, and research.
 - 7.172 Recommend to the Finance and Facilities Committee on matters which commit the health-related institutions to operating expenditures in future years.
 - 7.173 Consider and recommend to the Finance and Facilities Committee the annual operating budgets of the health-related institutions, including rates of compensation.

Editorial Amendment
Issued April 1989

- 7.174 Consider and recommend to the Finance and Facilities 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.
- 7.175 Counsel with the Executive Vice Chancellor for Health Affairs and the Chancellor and recommend to the Board approval of matters relating to student affairs, fees and housing in the health-related institutions.
- 7.176 Counsel with the Executive Vice Chancellor for Health 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 health-related institutions.
- 7.177 Consider and report to the Board on matters relating to the research, training, and community service activities of the health-related institutions.
- 7.178 Consider and report to the Board on all matters affecting the libraries of the health-related institutions.
- 7.179 Consider and recommend to the Board the acceptance and execution of grants and contracts for research, training, and community service at the health-related institutions.
- 7.17(10) Recommend to the Board policies relating to soliciting and securing gifts and endowments for the University's health-related

Editorial Amendment
Issued April 1989

- institutions and the acceptance, use, and allocation of such gifts and endowments including recommendations on initial appointments to professorships and chairs.
- 7.17(11) With respect to each Hospital owned by The University of Texas System:
- 7.17(11)1 Participate in the accreditation process for the Hospital;
 - 7.17(11)2 Review long-range plans for the Hospital;
 - 7.17(11)3 Review and make recommendations to the Board concerning the bylaws, rules and regulations of the medical staff of the Hospital;
 - 7.17(11)4 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; and
 - 7.17(11)5 Hold regular meetings at the Hospital to review programs and problems.
- 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.

Editorial Amendment
Issued April 1989

- 7.17(13) Consider and make recommendations to the Finance and Facilities Committee concerning capital improvement requests as related to the approved missions of the health-related institutions.
- 7.18 Duties of the Finance and Facilities Committee.--The Finance and Facilities 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.
- 7.186 Consider and make recommendations to the Board on all matters relating to the fiscal management of The University of Texas System Administration and each component institution of the System.
- 7.187 Following consultation with the Academic Affairs Committee and the Health Affairs Committee, consider and recommend to the Board the

- operating budgets of The University of Texas System Administration and each component institution of the System.
- 7.188 Following consultation with the Academic Affairs Committee and the Health Affairs Committee, consider and recommend to the Board 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.
- 7.189 Propose to the Board all appropriations of funds and all modifications of or additions to such appropriations.
- 7.18(10) Following consultation with the Academic Affairs Committee and the Health Affairs Committee, recommend to the Board matters which commit the U. T. System or any component thereof to operating expenditures in future fiscal years.
- 7.18(11) Consider and make recommendations to the Board concerning the availability of funds for, and application of funds to, capital improvement requests.
- 7.19 Duties of the Land and Investment Committee.--The Land and Investment 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 trusts and special funds.

and gas industry be a member of the Board or employee of the Board Grade 17 or over, including exempt employees, according to the position classification schedule under the General Appropriations Act. A person who is required to register as a lobbyist under Chapter 422, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9c, Vernon's Texas Civil Statutes), by virtue of his 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.

- 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) Personnel and Audit Committee
 - (c) Academic Affairs Committee
 - (d) Health Affairs Committee
 - (e) Finance and Facilities Committee
 - (f) Land and Investment Committee

Editorial Amendment
Issued April 1989

- 16.6 The granting of a leave of absence does not affect in any way the tenure position of the grantee.
- 16.7 For leave of absence to participate in a political campaign see Part One, Chapter III, Section 7.4.
- 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. 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.
- Sec. 19. Sick Leave.
- 19.1 Sick leave for all employees, including faculty, non-teaching personnel, and classified personnel, shall be as provided by state law.
- 19.2 In cases where illness incapacitates a member of an institutional or professional staff, arrangements for carrying on his or her usual duties must be made through appropriate administrative channels with the chief administrative officer of the institution.
- 19.3 In the case of death of an employee who has accumulated sick leave, the estate will be paid for the accumulated sick leave as permitted by law. The payment shall be calculated at the rate of compensation being paid the employee at the time of death.

Dr. Natalicio introduced a videotape which outlined the institution's commitment to quality education and research programs and reviewed the enrollment growth, faculty recruitment efforts, economic development along the border, applied research programs with Juarez and student involvement in the Minority Research Center of Excellence in Materials Science. As U. T. El Paso approaches the 21st century, Dr. Natalicio reiterated that the institution will look forward to working with the City of El Paso and others to continue its tradition of service and to enhance its valuable research position in the State and Nation.

On behalf of the Board, Chairman Beecherl expressed appreciation to President Natalicio for this very informative report.

U. T. BOARD OF REGENTS: APPROVAL OF MINUTES OF REGULAR MEETING HELD ON FEBRUARY 9, 1989, AND SPECIAL MEETING HELD ON MARCH 2, 1989.--Upon motion of Regent Moncrief, seconded by Vice-Chairman Roden, the Minutes of the regular meeting of the Board of Regents of The University of Texas System held on February 9, 1989, in Austin, Texas, and the Minutes of the special meeting held on March 2, 1989, in Austin, Texas, were approved as distributed by the Executive Secretary. The official copies of these Minutes are recorded in the Permanent Minutes, Volume XXXVI, Pages 1528 - 2368.

SPECIAL ITEMS

- 4/6/89
Minutes
1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter I, Section 7.15 (Duties of the Finance and Audit Committee) and Section 7.18 (Duties of the Buildings and Grounds Committee) and Authorization for the Executive Secretary to the Board to Make Editorial Changes Therein.--Upon recommendation of the Executive Committee, the Regents' Rules and Regulations, Part One, Chapter I, Section 7.15 (Duties of the Finance and Audit Committee) and Section 7.18 (Duties of the Buildings and Grounds Committee) were amended to read as set forth below and the Executive Secretary to the Board and the Office of General Counsel were authorized to make such additional editorial amendments in the Regents' Rules and Regulations as are required to ensure conformity with these amendments.

- 7.15 Duties of the Personnel and Audit Committee.--
The Personnel and Audit Committee shall:
 - 7.151 Counsel with the Chancellor and recommend appropriate Board action with respect to any recommendations by the Chancellor related to the appointment, promotion, and dismissal of such System Administration Officers as report directly or indirectly to the Chancellor.
 - 7.152 Recommend to the Board all compensation for the System Administration and the rates of professional compensation.

- 7.153 Consider and recommend to the Board matters related to all employee personnel programs, fringe benefits, retirement programs, and labor relations in the System Administration and the component institutions.
 - 7.154 Obtain, review, and report to the Board on all State, System Administration, and institutional audit reports.
 - 7.155 Exercise supervision over post-auditing activities related to the conduct and administration of the System and component institutions.
 - 7.156 Transmit to the Chancellor, subject to the prior approval of the Board, such instructions as it deems necessary for the enforcement of sound accounting and auditing practices.
 - 7.157 Initiate System Administration and institutional audits as deemed necessary to ensure management control within The University of Texas System. (In this regard, the Chairman of the Personnel and Audit Committee shall have direct access to the person who occupies the position of chief auditor of the System.)
- 7.18 Duties of the Finance and Facilities Committee.--
The Finance and Facilities 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.
 - 7.186 Consider and make recommendations to the Board on all matters relating to the fiscal management of The University of Texas System Administration and each component institution of the System.

- 7.187 Following consultation with the Academic Affairs Committee and the Health Affairs Committee, consider and recommend to the Board the operating budgets of The University of Texas System Administration and each component institution of the System.
- 7.188 Following consultation with the Academic Affairs Committee and the Health Affairs Committee, consider and recommend to the Board 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.
- 7.189 Propose to the Board all appropriations of funds and all modifications of or additions to such appropriations.
- 7.18(10) Following consultation with the Academic Affairs Committee and the Health Affairs Committee, recommend to the Board matters which commit the U. T. System or any component thereof to operating expenditures in future fiscal years.
- 7.18(11) Consider and make recommendations to the Board concerning the availability of funds for, and application of funds to, capital improvement requests.

2. U. T. Board of Regents: Approval of Standing Committee Chairmen and Members of the Board for Lease of University Lands and Report of Appointments to the Standing Committees, Special Committees and Other Liaison Groups Effective Immediately.--In accordance with the requirements of the Regents' Rules and Regulations, Part One, Chapter I, Section 7, Chairman Beecherl requested concurrence by the Board of the chairmen of the Standing Committees and the members of the Board for Lease of University Lands as set forth below. Upon motion of Regent Cruikshank, seconded by Vice-Chairman Roden, unanimous approval was given to his request.

Chairman Beecherl's appointments to the Standing Committees, Special Committees and other liaison groups are set forth below. All are effective immediately.

1. STANDING COMMITTEES

Executive Committee

Mr. Louis A. Beecherl, Jr., Chairman
 Mr. Sam Barshop, Vice-Chairman
 Mr. Bill Roden, Vice-Chairman

Personnel and Audit Committee

Mr. Bill Roden, Chairman
 Mr. Sam Barshop
 Mr. Robert J. Cruikshank



THE UNIVERSITY OF TEXAS SYSTEM

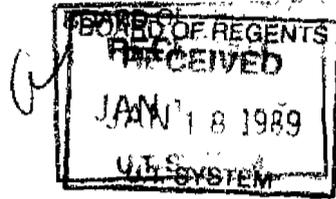
MEMORANDUM

REFERRED TO Margaret

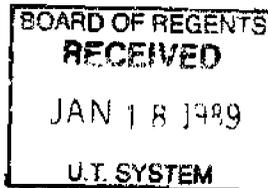
- PER OUR CONVERSATION
- FOR YOUR INFORMATION
- FOR YOUR APPROVAL
- FOR YOUR SIGNATURE
- FOR YOUR COMMENTS
- FOR DISCUSSION
- PLEASE RETURN
- PER YOUR REQUEST
- FOR HANDLING
- FOR DISTRIBUTION
- NO NEED TO RETURN
- FOR YOUR FILE

REMARKS

Please make this editorial change when you do the next Regents' Rules update.



SIGNATURE Debbie_Ray DATE 1/17/89



Official Copy
June 1, 1988

16.6 The granting of a leave of absence does not affect in any way the tenure position of the grantee.

16.7 For leave of absence to participate in a political campaign see Part One, Chapter III, Section 7.4.

Sec. 17. Faculty Development Leaves.--Faculty development leaves for faculty members may be granted as set out in ~~House Bill 669, 60th Legislature, Regular Session, 1967.~~ ^{Texas Education Code, Section 51.101 et seq.} ~~This bill provides~~ ^{The Law} 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. ^(per FF 4/27/88)

Sec. 18. 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.

Sec. 19. Sick Leave.

19.1 Sick leave for all employees, including faculty, non-teaching personnel, and classified personnel, shall be as provided by state law.

19.2 In cases where illness incapacitates a member of an institutional or professional staff, arrangements for carrying on his or her usual duties must be made through appropriate administrative channels with the chief administrative officer of the institution.

19.3 In the case of death of an employee who has accumulated sick leave, the estate will be paid for the accumulated sick leave as permitted by law. The payment shall be calculated at the rate of compensation being paid the employee at the time of death.

Part One
III - 36

Linda:

Per our conversation on Thursday, 3/23,
and as time permits, please do a search
of Parts One and Two to find where the
words Finance and Audit Committee and
Buildings and Grounds Committee will need
to be changed to their new names.

Highlight in blue/yellow/or some color
on attached copies of Parts One and Two.

Thanks.

3/29
Done JP

mg 3/24

RULES AND REGULATIONS

OF THE

BOARD OF REGENTS

OF

THE UNIVERSITY OF TEXAS SYSTEM

FOR THE GOVERNMENT OF

THE UNIVERSITY OF TEXAS SYSTEM

PART ONE

Reissued as of June 1, 1988
(with Amendments to December 8, 1988)

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) Finance and Audit Committee; (c) Academic Affairs Committee; (d) Health Affairs Committee; (e) Buildings and Grounds Committee; (f) Land and Investment 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

the Board, and, if confirmed, the appointment shall stand until the time for appointment of Chairmen of the standing committees as provided in Subdivision 7.113 of this chapter.

- 7.13 Authority of Standing Committees.--The authority of standing committees of the Board shall be subject to action of the whole Board and the committees' actions shall be referred to the Board before they shall become effective.
- 7.14 Duties of the Executive Committee.--The Executive Committee, after appropriate consultation with other members of the Board, shall act for the Board on emergency items that require immediate action between meetings of the Board; provided, at each Board meeting, the Executive Committee shall report, for ratification and approval, all actions taken by it since the last meeting of the Board.
- 7.15 Duties of the Finance and Audit Committee.--The Finance and Audit Committee shall:
- 7.151 Consider and make recommendations to the Board on all matters relating to the business and administrative management of The University of Texas System Administration and each component institution of the System.
 - 7.152 Following consultation with the Academic Affairs Committee and the Health Affairs Committee, consider and recommend to the Board the operating budgets of The University of Texas System Administration and each component institution of the System.
 - 7.153 Following consultation with the Academic Affairs Committee and the Health Affairs Committee, consider and recommend to the Board biennial submissions of appropriation

*7.15 amended
via 4/6
agenda*

- 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.
- 7.154 Propose to the Board all appropriations of funds and all modifications of or additions to such appropriations.
- 7.155 Following consultation with the Academic Affairs Committee and the Health Affairs Committee, recommend to the Board matters which commit the U. T. System or any component thereof to operating expenditures in future fiscal years.
- 7.156 Counsel with the Chancellor and recommend appropriate Board action with respect to any recommendations by the Chancellor related to the appointment, promotion, and dismissal of such System Administration Officers as report directly or indirectly to the Chancellor.
- 7.157 Recommend to the Board all administrative funds and compensation for the System Administration and the rates of professional compensation.
- 7.158 Consider and recommend to the Board matters related to all employee personnel programs, fringe benefits, retirement programs, and labor relations in the System Administration and the component institutions.
- 7.159 Obtain, review, and report to the Board on all State, System Administration, and institutional audit reports.

- 7.15(10) Exercise supervision over postauditing activities related to the conduct and administration of the System and component institutions.
 - 7.15(11) Transmit to the Chancellor, subject to the prior approval of the Board, such instructions as it deems necessary for the enforcement of sound accounting and auditing practices.
 - 7.15(12) Initiate System Administration and institutional audits as deemed necessary to ensure management control within The University of Texas System. (In this regard, the Chairman of the Finance and Audit Committee shall have direct access to the person who occupies the position of chief auditor of the System.)
 - 7.15(13) Consider and make recommendations to the Buildings and Grounds Committee concerning the availability of funds for, and application of funds to, capital improvement requests.
- 7.16 Duties of the Academic Affairs Committee.--
The Academic Affairs Committee shall:
- 7.161 Consider and report to the Board on matters concerned with substantive aspects of policies and programs related to the academic philosophy and objectives of the general academic institutions; with University relations; and with general academic planning, instruction, and research.
 - 7.162 Recommend to the Board policies relating to soliciting and securing gifts and endowments for the University's general academic institutions and the acceptance, use, and allocation of such gifts and endowments including recommendations on initial appointments to professorships and chairs.

- 7.163 Consider and report to the Board on all matters affecting the libraries of the general academic institutions.
- 7.164 Recommend to the Finance and Audit Committee matters which commit the general academic institutions to operating expenditures in future years.
- 7.165 Consider and recommend to the Finance and Audit Committee the annual operating budgets of the general academic institutions, including rates of compensation.
- 7.166 Consider and recommend to the Finance 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.
- 7.169 Consider and report to the Board on matters relating to the research, training, and community service activities at the general academic institutions.

✓ F+C

R/F

F+F

- 7.16(10) Consider and recommend to the Board the acceptance and execution of grants and contracts for research, training, and community service at the general academic institutions.
 - 7.16(11) Counsel with the Chancellor and recommend appropriate Board action with respect to any recommendations by the Executive Vice Chancellor for Academic Affairs related to the appointment, promotion, and dismissal of such System Administration Officers as report directly or indirectly to the Executive Vice Chancellor for Academic Affairs.
 - 7.16(12) Consider and make recommendations to the Buildings and Grounds Committee concerning capital improvement requests as related to the approved missions of the general academic institutions. ✓ F+F
- 7.17 Duties of the Health Affairs Committee.--
The Health Affairs Committee shall:
- 7.171 Consider and report to the Board on matters concerned with substantive aspects of policies and programs related to the academic philosophy and objectives of the health-related institutions; with University relations; and with health-related academic planning, instructions, and research.
 - 7.172 Recommend to the Finance and Audit Committee on matters which commit the health-related institutions to operating expenditures in future years. ✓ F+F
 - 7.173 Consider and recommend to the Finance and Audit Committee the annual operating budgets of the health-related institutions, including rates of compensation. F+F

June 1, 1988

- 7.174 Consider and recommend to the Finance and Audit Committee ~~biennial~~ ^{F+F} 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.
- 7.175 Counsel with the Executive Vice Chancellor for Health Affairs and the Chancellor and recommend to the Board approval of matters relating to student affairs, fees and housing in the health-related institutions.
- 7.176 Counsel with the Executive Vice Chancellor for Health 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 health-related institutions.
- 7.177 Consider and report to the Board on matters relating to the research, training, and community service activities of the health-related institutions.
- 7.178 Consider and report to the Board on all matters affecting the libraries of the health-related institutions.
- 7.179 Consider and recommend to the Board the acceptance and execution of grants and contracts for research, training, and community service at the health-related institutions.
- 7.17(10) Recommend to the Board policies relating to soliciting and securing gifts and endowments for the University's health-related

June 1, 1988

- institutions and the acceptance, use, and allocation of such gifts and endowments including recommendations on initial appointments to professorships and chairs.
- 7.17(11) With respect to each Hospital owned by The University of Texas System:
- 7.17(11)1 Participate in the accreditation process for the Hospital;
 - 7.17(11)2 Review long-range plans for the Hospital;
 - 7.17(11)3 Review and make recommendations to the Board concerning the bylaws, rules and regulations of the medical staff of the Hospital;
 - 7.17(11)4 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; and
 - 7.17(11)5 Hold regular meetings at the Hospital to review programs and problems.
- 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 Buildings and Grounds Committee concerning capital improvement requests as related to the approved missions of the health-related institutions.

F*F

7.18 amended via 4/6 agenda

7.18 Duties of the Buildings and Grounds Committee.--The Buildings and Grounds 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 ~~and the Finance and Audit 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 Land and Investment Committee.--The Land and Investment 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 trusts and special funds.

- 7.192 Consider and make recommendations on all matters relating to management of the lands constituting the permanent endowment of the University.
 - 7.193 Consider and make recommendations on all matters relating to the acquisition, management, and sale of trust property and special funds, and the issuance of bonds.
 - 7.194 Recommend to the Board appointments and dismissals of members of the Investment Advisory Committee and of investment consultants and advisors.
 - 7.195 Periodically report to the Board on the investment operations of The University of Texas System.
 - 7.196 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 lands and investments of the System or any component thereof.
- 7.2 Board for Lease of University Lands.--Pursuant to Section 66.62, Texas Education Code, two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve with one member of the Board of Regents of The Texas A&M University System selected by the Board of Regents of that System and the Commissioner of the General Land Office on the Board for Lease of University Lands, an agency of the State of Texas. A regent member may not be directly or indirectly employed by, or be an officer of or an attorney for, an oil or gas company. An officer, employee, or paid consultant of a trade association in the oil and gas industry may not be a member or employee of the Board, nor may a person who cohabits with or is the spouse of an officer, managerial employee, or paid consultant of a trade association in the oil

and gas industry be a member of the Board or employee of the Board Grade 17 or over, including exempt employees, according to the position classification schedule under the General Appropriations Act. A person who is required to register as a lobbyist under Chapter 422, Acts of the 63rd Legislature, Regular Session, 1973 (Article 6252-9c, Vernon's Texas Civil Statutes), by virtue of his 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.

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

Sec. 8. Procedure.

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

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

- 8.21 Correction and approval of Minutes of preceding meeting.
- 8.22 Consideration of items referred directly to the Board.
- 8.23 Consideration of approval of items contained in reports of standing committees.
- (a) Executive Committee
 - (b) Finance and Audit Committee *FAA*
 - (c) Academic Affairs Committee
 - (d) Health Affairs Committee
 - (e) Buildings and Grounds Committee
 - (f) Land and Investment Committee *F&G*

THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

DATE _____

TO: _____
FROM: Arthur H. Dilly
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 VI-20	Page VI-20

The amendments approved at the December 8, 1988 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AHD/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

Reissued as of June 1, 1988
(with Amendments to December 8, 1988)

(10) Occasional sales or offers of sales of goods or services that otherwise comply with state law and municipal ordinances and are conducted in the privacy of an individual university residence hall room or individual apartment when the 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, provided that neither sales nor offers of sales of goods or services within a university residence hall room or apartment by the occupant thereof on a continuing or scheduled basis, nor door-to-door sales or offers of sales of goods or services is included in the activity permitted by this exception.

(11) The acknowledgement or advertisement by scoreboard, electronic message or banner displayed at athletic facilities pursuant to an institutional policy concerning approval and selection of advertisement.

6.13

No solicitation shall be conducted on the grounds, sidewalks, or streets on the campus of any component institution of the System, except by the agents, servants, or employees of that 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.

(1) Solicitation made pursuant to the terms of Subsection 6.13 must be conducted in such a way (a) that it will not disturb or interfere with the academic or institutional programs being carried on in campus buildings, (b) that it will not interfere with the free and unimpeded flow of pedestrian and vehicular traffic on sidewalks and

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 22 - 38).--Committee Chairman Baldwin 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: Amendment to Chapter VI, Section 6, Subsection 6.12 (Use of University-Owned Facilities).--In order to allow the component institutions of The University of Texas System to implement a policy permitting University approved acknowledgements and advertisements in athletic facilities, the Board, upon recommendation of the Academic Affairs Committee, amended the Regents' Rules and Regulations, Part One, Chapter VI, Section 6, Subsection 6.12, concerning solicitation, by adding a new Subdivision 6.12(11) to read as set out below:

Sec. 6. Use of University-Owned Facilities.

6.12 No solicitation shall be conducted in any building, structure, or facility of any component institution of the System, provided, however, that the following activities shall be deemed not to be solicitations prohibited by this Subsection if they are conducted in a manner that will not disturb or interfere with the academic or institutional programs being carried on in a building, structure or facility, or do not interfere with entry to or exit from a building, structure or facility:

. . .

(11) The acknowledgement or advertisement by scoreboard, electronic message or banner displayed at athletic facilities pursuant to an institutional policy concerning approval and selection of advertisement.

2. U. T. Arlington: Authorization to Establish a Ph.D. in Nursing Administration and to Submit the Program to the Coordinating Board for Approval (Catalog Change).--Following opening remarks by President Nedderman, authorization was granted to establish a Ph.D. in Nursing Administration at The University of Texas at Arlington and to submit the program to the Texas Higher Education Coordinating Board for approval.

This program, which will be administered within the current administrative structure of the existing multi-track Ph.D. in Administration degree, will provide an option in Nursing Service Administration or Nursing Education Administration. The major objectives for the

12/8/88
Minutes

October 25, 1988

Distribution List of Official Copies of
Regents' Rules and Regulations

Board of Regents & Office of Board of Regents	12
Executive Associate for Economic Affairs	1
Legislative Budget Board	1
Governor's Budget and Planning Office	1
Publications Clearing House	1
State Auditor & U. T. Austin Representative	2
Legislative Reference Librarian	1
System Administration	9
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Asset Management	
Executive and Research Assistant to the Chancellor	
Vice Chancellor for Business Affairs	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers, Component Institutions	14
Vice Chancellor for Budgets & Human Resources, 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.

October 25, 1988

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

Mr. James P. Oliver, Director
Legislative Budget Board
Second Floor, Capitol
Austin, Texas 78711

Mr. Lawrence Alwin
State Auditor
406 John H. Reagan Building
Austin, Texas 78711

State Auditor's Office
The University of Texas at Austin
Main Building 311
Austin, Texas 78712

Mr. James R. Sanders
Legislative Reference Librarian
Second Floor, Capitol
Austin, Texas 78711

Publications Clearing House
Room 307, Texas State Library
Austin, Texas 78711

Dr. Kenneth H. Ashworth
Commissioner, Texas Higher
Education Coordinating Board
200 E. Riverside Drive, Second Level
Austin, Texas 78704

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

Mr. W. C. Lancaster
Vice Chancellor for Budgets
and Human Resources
The Texas A&M University System
College Station, Texas 77843-1117

THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

DATE October 28, 1988

Handwritten notes:
10/28/88
V

TO: Those on Attached Distribution List

FROM: Arthur H. Dilly *AHD*

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page i	Page i
Pages II-26 through II-35	Pages II-26 through II-35
Pages III-14 through III-15	Pages III-14 through III-15
Pages VI-3 and VI-8	Pages VI-3 and VI-8

The amendments approved at the October 7, 1988 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AHD/lp

Enclosures

October 25, 1988

Distribution List of Official Copies of
Regents' Rules and Regulations

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Executive Vice Chancellor for Health Affairs	
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Executive and Research Assistant to the Chancellor	
Vice Chancellor for Business Affairs	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
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Vice Chancellor for Budgets & Human Resources, Texas A&M University System (Lancaster)	<u>1</u>
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October 25, 1988

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State Auditor
406 John H. Reagan Building
Austin, Texas 78711

State Auditor's Office
The University of Texas at Austin
Main Building 311
Austin, Texas 78712

Mr. James R. Sanders
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(NOTE: Send only when there are
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leaves.)

Mr. W. C. Lancaster
Vice Chancellor for Budgets
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TEXAS HIGHER EDUCATION
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Mr. Arthur H. Dilly
Executive Secretary
The University of Texas System
Board of Regents
BOX N
Austin, Texas 78713-7328

Handwritten note:
7/11/88
actual

Dear Art:

I appreciated your note accompanying the "reissue" of UT System's Rules and Regulations, which has prompted us to make a quick review of the statutes. With the exception of two, requiring that we keep policies on academic workload (TEC 51.402) and faculty development leave (TEC 51.108b), we are unable to find a statutory mandate for retaining rules and regulations which govern the System.

In the future we would prefer receiving copies of changes in only those two policies for our retention. Therefore, you may discontinue providing a full set of your rules and regs for our staff and send the copies intended for the LBB and the Governor's Budget Office directly to them.

Sometimes it takes only the questioning of a procedure to bring to mind more efficient and better methods for obtaining the desired result. Thanks for bringing this to our attention.

Cordially,

Kenneth H. Ashworth

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

PART ONE

Reissued as of June 1, 1988
(with Amendments to October 7, 1988)

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

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

Three Chief Administrative Officers;

(to be appointed by the Chairman of the Board from three of the component institutions)

Three Regents;

(to be appointed by the Chairman of the Board)

Five Faculty members of the institution involved, at least three of whom shall have the rank of associate professor or higher; (method of selection to be determined by the General Faculty of the campus)

One Dean; (for academic institutions to be selected by Dean's Council of the institution involved) (for health-related institutions to be the Dean of the Medical School involved)

Two Students from the institution involved; (method of selection to be determined by the Student Government of the campus involved or, if there be no Student Government, by the chief administrative officer of the institution)

President of the Ex-Students' Association of the campus involved; (if institution does not have an active alumni organization, then an alumnus of the component selected by the Chairman of the Board of Regents)

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

- 12.12 When there is a vacancy or it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution not having faculty and students, an Advisory Committee shall be appointed by the Executive Vice Chancellor having responsibility for the institution, subject to approval of the Chairman of the Board. The Executive Vice Chancellor having such responsibility shall be Chairman of the Committee.
- 12.13 The Advisory Committee shall set up selection criteria that relate to the needs of the individual component, initiate mechanisms to develop an appropriate candidate pool, seek information on the several candidates and inquire from competent sources as to the candidates' academic, administrative and business ability. The Committee may also interview candidates as a part of its selection process keeping in mind that the confidentiality of the process is important to its ultimate success.
- 12.14 Finally, the Advisory Committee shall submit, through its Chairman, a recommended list of not less than five or more than ten candidates with no preference indicated. Candidates submitted shall have received a majority vote of the Committee. The recommended list should be developed

and submitted without regard to the Advisory Committee's assessment of the potential availability of any candidate. If none of the names submitted in the report of the Advisory Committee is satisfactory to the Board, then the Board in its discretion may either name a new committee or proceed to select a chief administrative officer under such other procedures as in its discretion it may deem proper and appropriate.

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.

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.

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

- 6.1 Subject to the provisions of Section 65.32 of the Texas Education Code, which reads, "The board may remove any officer, member of the faculty, or employee connected with the system when in its judgment the interest of the system requires the removal," and subject to the terms and provisions of these Regents' Rules and Regulations, the principles governing tenure and promotion are specified for each component institution in the Handbook of Operating Procedures applicable to that institution. See also Section 1.8 above on academic titles.
- 6.2 Tenure denotes a status of continuing appointment as a member of the faculty at a component institution. Except for the title Regental Professor, only members of the faculty with the academic titles of Professor, Associate Professor, or Assistant Professor may be granted tenure. Tenure may be granted at the time of appointment to any of such academic ranks, or tenure may be withheld pending satisfactory completion of a probationary period of faculty service, however, such tenure status shall not be applicable to the faculty of The University of Texas M.D. Anderson Cancer Center.

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

The University of Texas M.D. Anderson Cancer Center is authorized to award a seven-year term appointment which will denote a status of continuing appointment at that institution as a member of the faculty for a period of seven years. Only members of the faculty with academic titles of Professor, Associate Professor, or Assistant Professor may be granted a seven-year term appointment. A seven-year term appointment may be granted at the time of appointment to any of such academic ranks, or may be withheld pending satisfactory completion of a probationary period of faculty service.

No component institution may adopt or implement a seven-year term appointment policy except The University of Texas M.D. Anderson Cancer Center.

- 6.21 Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and Instructor, or any combination thereof, shall be counted toward fulfillment of a required probationary period related to the acquisition of tenure or a seven-year term appointment. Periods during which a faculty member is on leave of absence shall not be counted toward fulfillment of a required probationary period.
- 6.22 Prior service at other academic institutions, whether inside or outside the System, shall not be counted toward fulfillment of the required probationary period unless specifically permitted under the provisions of a component institution's Handbook of Operating Procedures.
- 6.23 The maximum period of probationary faculty service in nontenured status in any academic rank or combination of academic ranks specified in Section 6.21 shall not be more than seven years of full-time academic service at the general academic institutions of the System and not more than nine years of full-time academic service at the health-related institutions of the System. In the event that a component institution fails to specify the maximum length of probationary service in its Handbook of Operating Procedures, such period shall be seven years at the general academic institutions of the System and nine years at the health-related institutions of the System. No later than August 31st of the penultimate academic year of the maximum probationary period in effect at any component institution, all nontenured faculty serving in a rank which accrues time toward satisfaction of a probationary period shall be given notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure or a seven-year term appointment will be granted. In the event

- 2.5 The Dean of Students shall be responsible for the preparation of the budgetary recommendations for the student services and activities under his or her jurisdiction.

Sec. 3. Student Conduct and Discipline.

- 3.1 The System and its component institutions have rules and regulations for the orderly and efficient conduct of their business, and each student is charged with notice and knowledge of the contents and provisions thereof.
- 3.2 All students are expected and required to obey the law, to show respect for properly constituted authority, and to observe correct standards of conduct.
- 3.21 Gambling, immoral conduct, dishonesty, or the excessive use of intoxicating liquors renders the student subject to discipline.
- 3.22 Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus of a component institution of the System is subject to discipline, including expulsion, pursuant to the procedures set out in Subsections 3.(10) and 3.(11) of this Chapter. If a student is found guilty of the illegal use, possession, and/or sale of a drug or narcotic on campus, the minimum penalty shall be suspension from the institution for a specified period of time and/or suspension of rights and privileges.
- 3.23 Each component institution of the U. T. System that enrolls students shall amend its Handbook of Operating Procedures to provide for the imposition of the minimum penalty set out in Subdivision 3.22 of this Section.
- 3.3 Individuals who are not currently enrolled at a component institution of The University of Texas System remain subject to the disciplinary process for conduct that occurred during any period of enrollment, and for statements, acts or omissions related to application for enrollment or the award of a degree.

(b) If a Hearing Officer finds a student guilty of the illegal use, possession, and/or sale of a drug or narcotic on campus, the Hearing Officer must assess a minimum penalty as provided in Subdivision 3.22 of this Section.

- 3.(14) Within fourteen (14) days after the decision has been mailed to the parties, either or both parties may give notice of appeal to the chief administrative officer of the institution. The decision or decisions will be reviewed upon the basis of the transcript of the hearing. Both parties may, at the discretion of the chief administrative officer, submit oral or written arguments to support their position. In order for the appeal to be considered, all the necessary documentation to be filed by the appealing party, including written arguments, when appropriate, must be filed with the chief administrative officer within twenty-one (21) days after notice of appeal is given.
- 3.(15) The chief administrative officer of the institution may approve, reject, or modify the decision in question, or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. It is provided, however, that if the finding as to guilt is upheld in a case involving the illegal use, possession, and/or sale of a drug or narcotic on campus, the penalty may not be reduced below the minimum penalty prescribed by Subdivision 3.22 of this Section.

The action of each reviewing authority shall be communicated in writing to the accused student and the Dean of Students. The decision of the chief administrative officer shall be the final appellate review.

- 3.(16) Through matriculation at an institution of the System, a student neither loses the rights nor escapes the responsibilities of citizenship. Students who violate the law may incur penalties prescribed by civil authority, but institutional penalties shall not be used merely to duplicate the penalties imposed by civil authority. However, when a student violation

REPORTS AND RECOMMENDATIONS OF STANDING COMMITTEES

REPORT OF EXECUTIVE COMMITTEE (Pages ____ - ____).--In compliance with Section 7.14 of Chapter I of Part One of the Regents' Rules and Regulations, Chairman Blanton reported to the Board for ratification and approval all actions taken by the Executive Committee since the last meeting. Unless otherwise indicated, the recommendations of the Executive Committee were in all things approved as set forth below:

- JH*
1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter II, Section 12, Subsection 12.4 (Staff and Officers of System Administration) and Authorization for the Executive Secretary to the Board to Make Editorial Changes Therein (Exec. Com. Letter 88-28).--In order to clarify the process related to the appointment and continuing employment of certain staff and officers of The University of Texas System Administration, the Board, upon recommendation of the Executive Committee, amended the Regents' Rules and Regulations, Part One, Chapter II, Section 12, by renumbering present Subsection 12.4 (Staff and Officers of System Administration) as Section 10 to read as set forth below:

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. 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.

10/7/88
rule
(No be consistent with the way that it is set forth?)

Further, present Sections 10, 11 and 12 were renumbered as Sections 11, 12 and 13, respectively, and the Executive Secretary to the Board of Regents, in consultation with the Office of General Counsel, was authorized to make such editorial changes in the remainder of the Regents' Rules and Regulations as are necessary to conform to the foregoing changes.

2. U. T. System: Authorization to Renew Automobile Liability Insurance Policy with Cigna Insurance Company, Philadelphia, Pennsylvania, for Officers' and Employees' Use and Operation of University-Owned and Operated Motor Vehicles for the Period September 1, 1988 Through August 31, 1989 (Exec. Com. Letter 89-3).--The Board, upon recommendation of the Executive Committee, authorized renewal of The University of Texas System automobile liability insurance policy for officers' and employees' use and operation of University-owned and operated motor vehicles with the Cigna Insurance Company, Philadelphia, Pennsylvania, for an additional

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages -).--In the absence of Committee Chairman Baldwin, Regent Beecherl 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 6, Subsection 6.2 (Tenure, Promotion, and Termination of Employment).--In order to bring all of the degree granting components of The University of Texas System under the same rules for regular tenure appointments and on behalf of The University of Texas of the Permian Basin, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 6, Subsection 6.2 (Tenure, Promotion, and Termination of Employment) to read as set out below:

6.2 Tenure denotes a status of continuing appointment as a member of the faculty at a component institution. Except for the title Regental Professor, only members of the faculty with the academic titles of Professor, Associate Professor, or Assistant Professor may be granted tenure. Tenure may be granted at the time of appointment to any of such academic ranks, or tenure may be withheld pending satisfactory completion of a probationary period of faculty service, however, such tenure status shall not be applicable to the faculty of The University of Texas M.D. Anderson Cancer Center.

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

The University of Texas M.D. Anderson Cancer Center is authorized to award a seven-year term appointment which will denote a status of continuing appointment at that institution as a member of the faculty for a period of seven years. Only members of the faculty with academic titles of Professor, Associate Professor, or Assistant Professor may be granted a seven-year term appointment. A seven-year term appointment may be granted at the time of appointment to any of such academic ranks, or may be withheld pending satisfactory completion of a probationary period of faculty service.

No component institution may adopt or implement a seven-year term appointment policy except The University of Texas M.D. Anderson Cancer Center.

Policies and procedures for administering tenured appointments have been developed for inclusion in the U. T. Permian Basin Handbook of Operating Procedures. These policies closely parallel the procedures which have been in place at other U. T. System components and provide for initial reviews of current faculty holding term appointments to be completed during the 1988-89 academic year.

7.
JL
U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendments to Chapter VI, Section 3, Subsections 3.2 and 3.(13)(b) [Student Conduct and Discipline].--Upon recommendation of the Health Affairs and Academic Affairs Committees, the Board amended the Regents' Rules and Regulations, Part One, Chapter VI, Section 3, Subsections 3.2 and 3.(13)(b), concerning student conduct and discipline, to read as set out below:

- 3.2 All students are expected and required to obey the law, to show respect for properly constituted authority, and to observe correct standards of conduct.
- 3.21 Gambling, immoral conduct, dishonesty, or the excessive use of intoxicating liquors renders the student subject to discipline.
- 3.22 Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus of a component institution of the System is subject to discipline, including expulsion, pursuant to the procedures set out in Subsections 3.(10) and 3.(11) of this Chapter. If a student is found guilty of the illegal use, possession, and/or sale of a drug or narcotic on campus, the minimum penalty shall be suspension from the institution for a specified period of time and/or suspension of rights and privileges.
- 3.23 Each component institution of the U. T. System that enrolls students shall amend its Handbook of Operating Procedures to provide for the imposition of the minimum penalty set out in Subdivision 3.22 of this Section.
- 3.(13)...
- (b) If a Hearing Officer finds a student guilty of the illegal use, possession, and/or sale of a drug or narcotic on campus, the Hearing Officer must assess a minimum penalty as provided in Subdivision 3.22 of this Section.

The Texas Higher Education Coordinating Board has issued procedural guidelines related to implementation of House Resolution 235 and Senate Resolution 645 passed by the 70th Legislature, Regular Session 1987, requiring mandatory suspension for possession, use or sale of illegal