

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 THROUGH APRIL~~  
Reissued as of September 1, 1982  
(with Amendments to December 3, 1987,  
and Editorial Amendments to January 1988)

*Need Explanatory  
Statement*

## Explanatory Statement

The Rules and Regulations contained in Parts One and Two are those which are adopted by the Board of Regents and which apply generally to the entire University of Texas System. They are to be known as the Regents' Rules and Regulations to distinguish them from each component institution's rules and regulations which are promulgated by the chief administrative officers of the component institutions and entitled Handbook of Operating Procedures for (name of institution).

These Rules and Regulations are published in loose-leaf form to facilitate their being kept current. "Official Copies" of the Regents' Rules and Regulations are designated by the "Official Copy" imprinted in red in the upper right corner of each page. Each page is also marked with the date of its issuance by the Office of the Board of Regents. Subsequent amendment pages will be issued by the Office of the Board of Regents to those authorized to have "Official Copies" and will be dated to coincide with the Regental approval of the amendment contained on that page.

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## 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., 1940, no writ history); Morris v. Nowotny, 323 S.W. 2d 301 (Tex.Civ.App., 1959, writ refused, n.r.e.; cer. den., 361 U.S. 889, 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).
- 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.

- 3.2 Duties of the Chairman.--The duties and responsibilities of the Chairman shall include the following:
- 3.21 The Chairman shall preside over the meetings of the Board.
  - 3.22 The Chairman shall be authorized to call special meetings of the Board, as herein provided.
  - 3.23 Except for the Executive Committee, which shall be composed of the Chairman and the two Vice-Chairmen, the Chairman shall appoint the standing and special committees of the Board.
  - 3.24 The Chairman shall be an ex officio member of all committees of the Board.

Sec. 4. Vice-Chairmen of the Board. --Two Vice-Chairmen of the Board shall be elected by the Board from its number when the Chairman is elected and shall serve at the pleasure of the Board. At the election, the Board shall designate which Vice-Chairman shall assume the duties of Chairman in case of the absence, death, resignation, disability, removal, or disqualification of the Chairman. In case of the absence, death, resignation, disability, removal, or disqualification of the Chairman, the designated Vice-Chairman shall perform the duties of the Chairman until the Chairman shall resume his or her office or a successor Chairman shall have been elected as herein provided. In case of the absence, death, resignation, disability, removal, or disqualification of both the Chairman and the designated Vice-Chairman, the other Vice-Chairman shall perform the duties of Chairman

until the Chairman or designated Vice-Chairman shall resume his or her office or a successor Chairman shall have been elected as herein provided. Upon the death, resignation, disability, or removal of a Vice-Chairman, the Board shall elect a successor Vice-Chairman as soon as practicable.

Sec. 5. Officers in the Office of the Board of Regents.

- 5.1 Executive Secretary to the Board.--The Executive Secretary to the Board is the principal officer to the Board in the administration of the responsibilities of the Office of the Board of Regents and the principal staff officer to each member of the Board of Regents in the discharge of his or her responsibilities. In addition to the specific duties and responsibilities set forth in Section 5.3 of this Chapter the Executive Secretary to the Board shall advise and counsel with the Board regarding the design and implementation of policies and procedures by which the Board of Regents may more effectively fulfill its responsibilities regarding the governance and management of The University of Texas System.
- 5.2 Appointment.--At the meeting at which the Chairman and Vice-Chairmen of the Board are elected, the Board shall elect an Executive Secretary who is not a member of the Board and who shall receive such compensation and have such staff as may be fixed by the Board. The Executive Secretary shall report and be responsible to the Board. The Executive Secretary shall serve subject to the pleasure of the Board and may be removed by the Board at any time. Upon the death, resignation, disability, removal, or disqualification of the Executive Secretary, the Board shall elect a successor Executive Secretary as soon as practicable.
- 5.3 Duties and Functions.--The duties and functions of the Executive Secretary shall include the following:
- 5.31 The Executive Secretary shall supervise the Office of the Board of Regents.
- 5.32 Meetings.--The Executive Secretary shall make preparations, including regental travel

- arrangements, for all meetings of the Board and its committees.
- 5.33 The Agenda.--Under the direction of the Chairman of the Board or the Chairman of a standing committee, the Executive Secretary shall prepare and distribute the Agenda and necessary supporting documentation for all meetings of the Board and its committees.
- 5.34 Open Meetings Act.--Under the direction of the Chairman of the Board or the Chairman of a standing committee, the Executive Secretary shall post notices of all meetings, and the subject matter thereof as may be required under law.
- 5.35 Minutes.--The Executive Secretary shall record, prepare, and index the official Minutes of the Board and its committees and shall distribute copies thereof, including the annual budgets, to members of the Board and to other persons on the approved list. The official copy of the Minutes of the Board and its committees shall be kept in the Office of the Board of Regents, and certified excerpts from these Minutes shall be prepared by the Executive Secretary.
- 5.36 Documents.--The Executive Secretary shall keep on file in the Office of the Board of Regents all official documents, correspondence, and proceedings of the Board and its committees.
- 5.37 Seal.--The custody of the official seal of the System shall be with the Executive Secretary. The Executive Secretary shall affix such official seal to, and attest, all documents executed in the name of the Board and requiring attestation.
- 5.38 Rules and Regulations.--The Executive Secretary shall be charged with the responsibility of keeping current the Official Copies of the Regents' Rules and Regulations, and furnishing to members of the Board and the administrative officers on the approved list any changes or additions as soon as possible after the meeting at which they are finally adopted.

- 5.39 Reports.--As directed by the Board, the Executive Secretary shall:
- 5.391 define and establish routine reporting mechanisms, including;
    - 5.3911 determining the Board's information requirements;
    - 5.3912 structuring reporting procedures; and
    - 5.3913 gathering and summarizing reports and data for presentation to the Board on a routine basis; and
  - 5.392 prepare special reports, including;
    - 5.3921 requesting and gathering data from System Administration and component institutions;
    - 5.3922 conducting necessary analyses of data; and
    - 5.3923 summarizing facts and presenting reports for the Board's consideration.
- 5.3(10) Other Duties.-- In addition, the Executive Secretary shall perform such functions and have such other duties and responsibilities as may be assigned to the Executive Secretary to the Board or as are usual and customary to the position of Executive Secretary and which assist the members of the Board in the discharge of their official duties.

5.4 Assistant Secretary to the Board.

- 5.41 The Assistant Secretary to the Board shall be appointed by the Executive Secretary to the Board with the concurrence of the Board of Regents and shall have such duties and responsibilities as shall be delegated by the Executive Secretary to the Board.
- 5.42 Upon the temporary absence of the Executive Secretary to the Board or upon the death, resignation, disability, or removal of the Executive Secretary to the Board, the Assistant Secretary to the Board will fulfill the duties of the Executive Secretary until such time as the Board shall elect a successor.

Sec. 6. Meetings of the Board and Standing Committees of the Board.

- 6.1 Regular Meetings of the Board.--Regular meetings of the Board shall be held at such times and places as the Board shall designate. Unless otherwise determined in advance by the Board, all regular meetings shall be held in Austin.
- 6.2 Special Meetings of the Board.--Special meetings of the Board shall be held upon the call of the Chairman, or upon the written request of three members of the Board. The Chairman shall cause written notification of the time, place, and purposes of any special meeting to be mailed to each member of the Board by the Executive Secretary at least three days before the time of the meeting.
- 6.3 Regular Meetings of Standing Committees.--Regular meetings of standing committees of the Board shall be held at such times and places as each standing committee shall designate. The Chairman of each standing committee shall coordinate the times and places of regular meetings through the Office of the Board of Regents in order to avoid conflicts due to overlap in membership. Unless otherwise determined in advance by the standing committee, all regular meetings shall be held in Austin.
- 6.4 Special Meetings of Standing Committees.--Special meetings of standing committees shall be held upon the call of the Chairman of the Committee, upon the call of the Chairman of the Board, or upon the written request of two members of the committee. The Chairman of the standing committee shall cause written notification of the time, place, and purposes of any special meeting to be mailed to each member of the Board by the Executive Secretary at least three days before the time of the meeting.
- 6.5 Official Business.--No business other than that placed on the Agenda and noticed as required by law shall be officially transacted at a meeting of the Board or its committees.

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 requests to the Legislative Budget Board and to the Governor as prepared by the ~~Office of the~~

*Substitute:*

*\* System Administration  
and Component Institutions.*

CHANCELLOR

- ~~\_\_\_\_\_~~ 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 University 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.

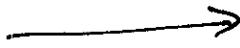
7.16 Duties of the Academic Affairs Committee.--The Academic Affairs Committee shall:

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 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 ~~\_\_\_\_\_~~ Chancellor in accordance with Section 6 of Chapter II of Part Two of these Rules and Regulations.
- 7.167 ~~do~~ Counsel with the ~~\_\_\_\_\_~~ Chancellor and recommend to the Board approval of matters related to student affairs, fees and housing in the general academic institutions.
- 7.168 ~~do~~ Counsel with 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.
- 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.

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7.16(11) Counsel with the [REDACTED] 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.

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.

7.173 Consider and recommend to the Finance and Audit Committee the annual operating budgets of the health-related institutions, including rates of compensation.

7.174 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 [REDACTED] Chancellor in accordance with

See  
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Section 6 of Chapter II of Part Two of these Rules and Regulations.

7.175 Counsel with the [REDACTED] 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 [REDACTED] Chancellor and recommend to the Board the 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 institutions and the acceptance, use, and allocation of such gifts and endowments including recommendations on 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

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- 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.
- 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 Chancellor and recommend Board action with respect to any recommendations ~~by the Chancellor~~ *6/1/74* 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, Finance and Administration, and General Counsel.

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

Sec. 8. Procedure.

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

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

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

*See list of  
UT System  
Administration  
Officials*

- 8.24 Special Items:
  - (a) ~~officers~~ Chancellor ●
  - (b) Chief administrative officers of the component institutions
  - (c) Members of the Board
- 8.25 Reports of special committees.
- 8.26 Executive Session of the Board.

8.3 Open and Closed Meetings.--Meetings of the Board shall be open to the press and the public, unless otherwise determined by the Board, in accordance with law.

8.4 Matters to be Referred to Committees.--The Chairman of the Board in consultation with the Executive Secretary to the Board and appropriate committee

COMPONENT INSTITUTIONS OR SYSTEM ADM OFFICE

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

8.5 Communications by and to the Board.

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

The appropriate Executive Vice Chancellor

— ditto —

chief administrative officers, representatives, and personnel of The University of Texas System Administration and its component institutions, faculty members and other groups. All staff and faculty proposals that are to be acted upon by the Regents shall be presented to the ~~Office of the Chancellor~~ in sufficient time to permit ~~that office~~ to consider such proposals, make recommendations thereon, and transmit them to the Executive Secretary to the Board no later than seventeen days prior to the next meeting of the Board, in order that the calendar, agenda, and supporting material may be prepared in time to mail to the members of the Board so they will receive it at least five days prior to the meeting. Except where emergency proposals are involved, all such proposals not submitted to the Executive Secretary within the time prescribed shall not be considered by the Board but shall automatically be deferred until the next meeting of the Board.

SYSTEM ADM →  
THE APPROPRIATE OFFICER

TO THE CHANCELLOR

8.52  
Same as page I-18 A

Except upon invitation of the Board, the Chairman of the Board or the ~~Chancellor~~ Chancellor, no person shall appear before the Board or any committee thereof unless that person files with the Executive Secretary to the Board a written request for such appearance at least ten days before the date of such appearance and unless the Chairman of the Board, or a majority of the whole Board, shall approve the request; provided, however, that the chief administrative officer, or his or her delegate, and/or the president of the students' association, or his delegate, of any component institution, without prior notice or request but subject to such time limitation as may be prescribed by the Chairman or a majority of the Board (or by the chairman or a majority of the committee), may appear before the Board or

any committee thereof whenever the matter under consideration by the Board or committee directly affects the component institution represented by such chief administrative officer and/or student president. Whenever time and other circumstances permit, the president of the students' association, or his or her delegate, of such component institution, shall consult with the chief administrative officer, or his or her delegate, of such institution regarding said "matter under consideration" prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board pursuant to the ten-day notice provision or without notice pursuant to the provisions of this paragraph shall provide a written statement of the substance of such person's presentation to the Board, and, insofar as possible, such written statement shall be delivered to the Executive Secretary to the Board in sufficient time for copies to be distributed to the Regents prior to the meeting.

8.53

All official material to be distributed to the Regents shall be transmitted through the Office of the Board. Copies of all official communications from administrative officers to the Regents shall be sent to the Executive Secretary. Communications from the ~~Office of the Chancellor~~ shall be exempt from this requirement but in such cases information copies shall be furnished to the Executive Secretary.

Chancellor and EVCs

8.54

A docket, to be entitled "Docket No. ~~\_\_\_\_\_~~" <sup>Chancellor's docket</sup> composed of routine matters arising from System Administration and the component institutions, which are required to be reported to and/or approved by the Board in accordance with established policies of the Board, shall be prepared as directed and approved by the ~~Assistant~~ Chancellor. A

or appropriate  
Executive Vice  
Chancellor.

A

5/24  
add

All docket items from the component institutions must be received ~~BY~~ the ~~office of the Chancellor~~ not less than twenty-one days prior to the next regular scheduled meeting for inclusion on the docket for that meeting. The Docket of the ~~Chancellor~~ shall be distributed by the Executive Secretary to all members of the Board ten days before the Board convenes, together with a ballot to be returned seven days thereafter. The ballot will read: "Approved, except as to the following items;" with space provided for listing the excepted items. All items not excepted by any Regent will be approved by the Board at its next meeting, without detailed consideration. Any excepted item listed by any Regent will be deferred and will be processed through the appropriate standing committee for consideration at the first regular meeting of the Board following action of the item by the appropriate standing committee.

8.55

Except for communications from ~~the Chancellor~~ and the Executive Secretary to the Board, all communications to the Board from members of the faculty and staff should be in writing. The regular channel of communication from the faculty, staff, and administration to the Board is through the chief administrative officer of the institution involved, and the ~~Chancellor~~ Chancellor. A copy of any communication sent directly to a Board member should be furnished to the ~~office of the~~ Chancellor and to the chief administrative officer of the institution involved. A description of all matters to be considered by the Board or a standing committee of the Board at any meeting shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and to ~~the office of the Chancellor~~ at least

DESIGNATED OFFICIALS

~~the~~  
 ① THE EXECUTIVE VICE CHANCELLORS  
~~the~~

See page I-18.

five days in advance of the meeting at which they are to be considered, and insofar as possible, such material shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and the Office of the ~~Chancellor~~ <sup>DESIGNATED OFFICIAL</sup> at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the need for action thereon, and the recommendations of the ~~Chancellor~~ Chancellor. Where contractual awards are involved, the summary shall show the method of competition, if any, the names and offers of all interested parties, and generally sufficient information to show the reasons for and fairness of each transaction. The recommendations of the ~~Chancellor~~ Chancellor shall state whether ~~they~~ they are fully concurred in by any chief administrative officer involved, and if not, ~~the~~ his views and recommendations of ~~the~~ the administrative officer shall be included. Any matter not sent to the members of the Board or the members of a standing committee of the Board, documented as herein provided, at least five days in advance of the meeting at which it is to be considered, shall go over to the next meeting for consideration; provided, however that if sufficient emergency exists requiring immediate action and it appears that the delay was unavoidable, this requirement may be waived by a two-thirds vote of the Board or a standing committee of the Board.

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- 8.6 Report to Press on Actions of Board.--Matters of public interest will be given as promptly as possible after each meeting to the press. These press reports shall be under the direction of the Chairman of the Board, the Chancellor or their designated representative.

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

Sec. 9. Executive Associate for Economic Affairs.

9.1 The Executive Associate for Economic Affairs is elected by the Board, serves at the pleasure of the Board, reports to and is responsible to the Board, and receives such compensation as may be fixed by the Board.

9.2 Duties.--The Executive Associate on a continuing basis conceives and develops long-range plans and studies with respect to the development and management of economic affairs of the component institutions, and upon request, consults and advises with the Board and the Executive Vice Chancellor for Asset Management regarding plans and studies and shall have such other duties and responsibilities as may be directed by the Board.

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

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

CHAPTER II

ADMINISTRATION

AS APPROVED  
APRIL, 1988 BY  
BOARD OF REGENTS

**REVISSE COMPLETE**

Sec. 1. General Provisions.

1.1 Administration.

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

1.2 The University of Texas System.

The University of Texas System (herein sometimes called the "System") is composed of the System Administration and those institutions assigned by the Constitution or by the Legislature to be governed by the Board of Regents of The University of Texas System. The System Administration shall be based in Austin.

Sec. 2. Board's Exercise of Authority.

The Board of Regents exercises its powers and authorities in the governance of The University of Texas System through the System Administration, headed by the Chancellor.

Sec. 3. Chancellor.

The Chancellor is the chief executive officer of The University of Texas System. The Chancellor reports to and is responsible to the Board of Regents of The University of Texas System. The Chancellor has direct line responsibility for all aspects of the U. T. System's operations.

3.1 Appointment and Tenure.

The Chancellor shall be elected by the affirmative vote of a majority of the Regents in office and shall hold office without fixed term, subject to the pleasure of the Board.

3.2 Purview and Primary Duties of the Chancellor.

The Chancellor, by delegation from the Board, is authorized to exercise the powers and authorities of the Board in the governance of the System. The Chancellor will normally act through the officers of the System

regarding the matters delegated to them by these Rules. The Chancellor, however, shall not be precluded from any direct participation and communication with System Administration officers or staff, institutional officers or staff, faculty members, and groups. The major duties of the Chancellor include:

- 3.21 Advising and counseling with the Board with respect to the policies, purposes, and goals of the System; acting as executive agent of the Board in implementing its policies; representing the System in all other respects as deemed appropriate to carry out such policies, purposes and goals, and interpreting and articulating the System's academic, administrative and developmental policies, programs, needs and concerns to the general public and to other constituencies at the community, state, regional and national levels.
- 3.22 Preparing for recommendation to the Board a strategic plan for The University of Texas System, revised periodically, setting forth recommendations for academic programs, capital expenditures, and the allocation of other financial resources.
- 3.23 Directing the management and administration of System Administration and all component institutions of the System.
- 3.24 Presenting to the appropriate standing committees of the Board and to the Board nominations for all officers of the System, and for all officers of component institutions as provided in these Rules and Regulations.
- 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.

Executive Vice Chancellor or A

- 3.26 Preparing and approving appropriate recommendations to the Board and its standing committees along with the recommendation of the appropriate 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 and postaudit procedures for the System and System Administration. Accordingly, with regard to his or her audit functions (see Section 7.32 of this Chapter), the Comptroller, in staff capacity, reports directly to the Chancellor.

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

4.1

Appointment and Tenure.

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

4.2

Duties and Responsibilities.

The Executive Vice Chancellor for Academic Affairs shall have as a prime responsibility the maintenance of high academic quality in the general academic components of the System. Through the chief administrative officers of the component institutions, he or she shall have responsibility for the budgets, academic planning and programs, ~~facilities planning and construction, and personnel (both academic and nonacademic) of those components.~~ In consultation with the Chancellor, the Executive Vice Chancellor for Academic Affairs shall prepare recommendations and supporting information on such matters for consideration by the appropriate standing committees of the Board and the Board of Regents.

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WITH 5.2

Sec. 5.

Executive Vice Chancellor for Health Affairs.

The Executive Vice Chancellor for Health Affairs has line responsibility for the conduct of health-related education and the delivery of health services in the System. The chief administrative officer of each health-related institution in the System reports to and is responsible to the Executive Vice Chancellor for Health Affairs. The Executive Vice Chancellor for Health Affairs reports to and is responsible to the Chancellor. The Executive Vice Chancellor for Health Affairs has direct access to the Board of Regents and is expected to work directly with the appropriate committees of the Board in discharging the duties of the office.

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.

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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.

6.1

Appointment and Tenure.

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

6.2

Duties and Responsibilities.

The Executive Vice Chancellor for Asset Management has responsibility for lands management (including management of trust lands, endowment lands, and management of the Permanent University Fund lands); investments and trusts (including investment and management of trusts, trust assets, and endowments) and management of the investment of the Permanent University Fund. This office has as a prime responsibility the management of the lands, trusts, endowments, and other such funds of the System in such a manner as to maximize the monies available for excellence in all activities of the System. This office also has a prime responsibility for policies on receipt, disbursement, and custody of funds; for terms of depository agreements with banks; and for custody (with the Director of Accounting) for bearer securities owned by System funds that are maintained in bank safety deposit boxes and are not in custody with the State Treasurer. This office in conjunction with the Vice Chancellor and General Counsel prepares debt issues. In consultation with the Chancellor, the Executive Vice Chancellor for Asset Management shall prepare recommendations and supporting information on all such operations for consideration by the appropriate standing committees of the Board and the Board of Regents.

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;  
University Lands Accounting Office;  
University Lands - Surface Interests (Oil Field Supervision); and  
University Lands - Surface Interests (Leasing and Agricultural Projects).

6.32

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

Subject to delegation by the Executive Vice Chancellor for Asset Management, the Manager of University Lands - Oil, Gas, and Mineral Interests is responsible for providing field supervision of System operations, activities and transactions involving oil, gas, and mineral development and production on the University Lands. Within limits of authority set by the Executive Vice Chancellor for Asset Management, the Manager's regular duties include:

6.321 Making recommendations to the Board for Lease of University Lands, and the Board of Regents, as appropriate, for periodic oil and gas lease sales of University Lands, and for unitization, pooling and other transactions involving oil and gas leasehold and royalty interests and other mineral interests in University Lands.

- 6.322 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of, all personnel reporting to him or her.
- 6.323 Reviewing periodically the terms and conditions of forms and transactions involving oil and gas interests in University Lands, and making recommendations with respect thereto to the Executive Vice Chancellor for Asset Management and the Board for Lease of University Lands.
- 6.324 Reporting regularly to the Executive Vice Chancellor for Asset Management and the Board for Lease of University Lands all activities, developments and problems which could significantly affect System interests and University Lands, together with his or her recommendations with respect thereto.
- 6.325 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 6.326 Coordinating with the Manager of University Lands - Surface Interests in the discharge of their respective duties and responsibilities.

6.33

Manager of University Lands - Surface Interests.

Subject to delegation by the Executive Vice Chancellor for Asset Management, the Manager of University Lands - Surface Interests is responsible for providing field supervision of System operations, activities, and transactions pertaining to surface interests, water rights and oil and gas field operations in or on University Lands. Within limits of authority set by the Executive Vice Chancellor for Asset Management, the Manager's regular duties include:

- 6.331 Making recommendations to the Board with respect to all transactions involving surface interests in University Lands, including research projects, right-of-way easements, agricultural, grazing and other surface use leases, and geophysical permits.
- 6.332 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of, all personnel reporting to him or her.
- 6.333 Reviewing periodically the terms and conditions of forms and transactions involving surface interests in University Lands, and making recommendations with respect thereto to the Executive Vice Chancellor for Asset Management.

- 6.334 Reporting regularly to the Executive Vice Chancellor for Asset Management all activities, developments and problems which could significantly affect System interests in University Lands, together with his or her recommendations with respect thereto.
- 6.335 Working closely with federal and state agencies in connection with research and development projects and activities, involving utilization and husbandry of University Lands, of mutual interest to the System and such agencies.
- 6.336 Coordinating with the Manager of University Lands - Oil, Gas, and Mineral Interests in the discharge of their respective duties and responsibilities, and acts as oil and gas fields supervisor.

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

7.1 Appointment and Tenure.

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

7.2

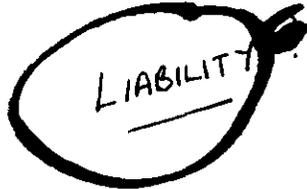
Duties and Responsibilities.

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

- 7.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 7.22 Submitting recommendations to the Chancellor and to the appropriate Executive Vice Chancellor on business operations of the components of the System.
- 7.23 Reviewing and making recommendations on uniform business systems and management.
- 7.24 Submitting recommendations relating to programs for the most efficient management of personnel and resources.
- 7.25 Submitting recommendations for program development for training of personnel in nonacademic areas.
- 7.26 Reviewing and making recommendations on programs of long-range planning for physical facilities and financial resources.
- 7.27 Reviewing and making recommendations relating to police and security matters within the System.
- 7.28 Coordinating the business affairs of the System with other officers and members of the System Administration staff.
- 7.29 In consultation with the appropriate Executive Vice Chancellor, coordinating the activities of business administrative operations of the component institutions.
- 7.2(10) Managing the operations of the offices of Facilities Planning and Construction, Budget, Comptroller, System Personnel, Police, and Special Services.
- 7.2(11) Supervising and coordinating the acquisition of all real property at the component institutions.

7.2(12) Directing the management of the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the System Administration and coordinating the building services for the System buildings.

7.2(13) Directing the management of the System-wide insurance programs (except the System Plan for Professional Medical ~~Malpractice~~ Self-Insurance), including approval of all policies and coverages, such programs to include:



Fire and Extended Coverage;  
Liability;  
Health;  
Life;  
Accidental Death and Dismemberment;  
Income Replacement; and Retirement.

7.2(14) Performing such other duties as may be assigned by the Chancellor.

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 (provided, however, that, in the audit functions, the Comptroller shall report directly to the Chancellor), the Comptroller formulates and recommends procedures to be followed in the business operations of the System for:

- 7.321 Accounting, auditing and 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.
- 7.329 Conducting postaudits at each component institution.
- 7.32(10) Supervising the auditing of oil and gas production.

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 delegation by the Vice Chancellor for Business Affairs, the duties of the office include:

- 7.331 Having responsibility for custody, accounting and reporting of all funds handled by the Director of Accounting's Office for

the component institutions outside of Austin, and for System Administration, the Permanent University Fund, the Available University Fund, and trust and special funds.

7.332 For securities owned by System funds and not in custody of the State Treasurer, having custody of registered securities and joint custodian, with the Executive Vice Chancellor for Asset Management, of bearer securities maintained in bank lock boxes.

7.333 Maintaining a full and complete set of records that accurately reflect the balances and transactions of all financial and property accounts of the System (as contracted with such accounts of the component institutions).

7.34 Director of Facilities Planning and Construction.

The Director of Facilities Planning and Construction reports to the Vice Chancellor for Business Affairs. The primary duties and responsibilities of the office include:

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

- 7.342 Managing the administration and general supervision of any new building construction and initial equipping thereof or any inside or outside repairs, remodeling, rehabilitation, new construction of improvements other than building, or campus planning costing \$300,000 or more; managing any preliminary planning, feasibility studies, or investigations which are estimated to ultimately develop into one of the above projects at any component institution of the System; advising and working with the consultants, architects and engineers employed by the Board subject to the terms and conditions of the contracts with those architects and engineers.
- 7.343 Serving as ex officio member of all faculty building committees at the component institutions.
- 7.344 Preparing and executing all documents relating to the acquisition and the use of funds received from the federal government and state agencies in connection with construction grant awards.
- 7.345 Coordinating the preparation of and approving of all grant applications on approved construction projects filed with governmental agencies.

- 7.346 Coordinating the development of and maintaining of master plans for all component institutions, including but not limited to land utilization, utility and landscape plans.
- 7.347 Developing standards for maintenance of all physical facilities at component institutions.
- 7.348 Directing the negotiation and approval of all utility contracts.

7.35

System Personnel Director.

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

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

- 7.353 Reviewing and recommending all classified personnel pay plans for each component institution, including the establishment of proper classification and pay scales consistent with needs and System-wide policies and procedures.
- 7.354 Reviewing and recommending the Personnel Office budgets for each component institution.
- 7.355 Directing the administration of the System Personnel Office, including the Workers' Compensation Insurance section.
- 7.356 Reviewing and recommending to System officers any rules and regulations or changes thereto that, after proper consultation with officers of component institutions, are considered beneficial or necessary for the proper administration of the System-wide Personnel Program.
- 7.357 Establishing employee development and training programs for all component institutions, including particularly supervisory training programs.
- 7.358 Formulating policies and procedures concerning labor relations and employer-employee relationships.

- 7.359      Assisting and establishing personnel data systems and proper practices and procedures concerning the personnel records of all employees.
- 7.35(10)    Conducting System-wide wage and salary research studies and formulating data for proper implementation of personnel pay programs.
- 7.35(11)    In consultation with the personnel offices of the component institutions, developing and maintaining a System-wide Personnel Pay Plan with uniform titles and account numbers.

7.36

Director of Police.

Subject to delegation by the Vice Chancellor for Business Affairs, the Director of Police is responsible for:

- 7.361      Approving qualifications for police personnel at the component institutions of the System and approving all applicants to a basic or in-service training school or academy.
- 7.362      Approving the organizational structure for police departments at the component institutions of the System.
- 7.363      Establishing and supervising all training programs for System police, including basic and in-service training, as well as on-the-job training at each component institution of the System.

- 7.364 Conducting the System training in accordance with the standards of the Texas Commission on Law Enforcement Officer Standards and Education, in order to maintain accreditation with this state agency.
- 7.365 Maintaining liaison with the Director of Training, Texas Department of Public Safety, and the Coordinator of Training, Federal Bureau of Investigation, and being aware of new training techniques, procedures, programs, and equipment.
- 7.366 Establishing a uniform reporting and record system for police departments at the component institutions of the System and approving any changes thereto.
- 7.367 Conducting periodic inspection of the police departments at the component institutions of the System and evaluating their performance as police agencies.
- 7.368 Formulating and establishing policies and procedures for police operations on a System-wide basis.
- 7.369 Establishing, maintaining, and supervising on a System-wide basis, a program for police personnel promotion.
- 7.36(10) Reviewing and recommending the pay scale for police personnel throughout the System.

- 7.36(11) Surveying all component institutions of the System for security needs of existing buildings, grounds, and lighting, in order to make the appropriate recommendations to insure the prevention of criminal activities and the protection of life and property.
- 7.36(12) Consulting with the Office of Facilities Planning and Construction on security needs for new construction including security lighting on the property of the component institutions of the System.
- 7.36(13) Coordinating the use of police throughout the System in emergency situations.
- 7.36(14) Submitting periodic reports to the Vice Chancellor for Business Affairs concerning the operations of the police departments of the System.

Sec. 8. Vice Chancellor and General Counsel.

The Vice Chancellor and General Counsel reports to the Chancellor. The Vice Chancellor and General Counsel is responsible for the provision of legal services to the Board of Regents of The University of Texas System as set out in Section 8.2 of this Chapter. The Vice Chancellor and General Counsel provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Vice Chancellor and General Counsel has direct access to the Board of Regents of The University of Texas System and is expected to work directly with the appropriate committees of the Board in discharging the duties of the office.

- 8.1 Appointment and Tenure.  
The Vice Chancellor and General Counsel shall be appointed by the Board after nomination by the Chancellor. The Vice Chancellor and General Counsel shall hold office without fixed term, subject to the pleasure of the Chancellor. The Chancellor's actions regarding the Vice Chancellor and General Counsel are subject to review and approval by the Board.
- 8.2 Duties and Responsibilities.  
The primary responsibilities of the Vice Chancellor and General Counsel include:
- 8.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
  - 8.22 Providing all legal services required by the Board of Regents of The University of Texas System and its personnel to insure the proper protection and advancement of the System's interests.
  - 8.23 Maintaining the supervision, and delivery of legal services at a high level of effectiveness.
  - 8.24 Directing and managing all legal personnel and legal affairs of the System, its units and its component institutions.
  - 8.25 Providing advice, counsel and legal interpretations to System officials and personnel concerning legal matters affecting System operations.
  - 8.26 Directing the Office of Vice Chancellor and General Counsel personnel with respect to work priorities and assignments, standards of performance, and career development, delegating to staff members responsibility for particular legal and administrative tasks; and coordinating and controlling budget and personnel levels.

- 8.27 Directing and managing (within applicable limits of authority) all litigation and administrative agency hearings; authorizing and approving the institution of legal proceedings; evaluating, directing and approving action and procedures relative to prosecution or defense of pending litigation and administrative proceedings; employing outside counsel; and authorizing and approving settlement or appeal of litigation.
- 8.28 Advising, counseling, and disseminating information to affected System units relative to the nature, evaluation, progress, and results of litigation, administrative proceedings, and other legal matters, and making recommendations to System officials and other personnel as to future operations and objectives.
- 8.29 Approving as to form all contracts and agreements and all amendments to the Regents' Rules and Regulations; and approving as to form all institutional Handbooks of Operating Procedures, whether finally approved or not, and all amendments to such Handbooks.
- 8.2(10) Drafting all legislation that has been approved by the Board or requested by any System officer for submission to the Board for approval and providing legal counsel on pending legislation.
- 8.2(11) Identifying and evaluating administrative and functional problems and directing or recommending, as appropriate, courses of action for solution.
- 8.2(12) Representing the System before legal, educational and governmental groups and associations.

LIABILITY

- 8.2(13) Acting as administrator of the System Plan for Professional Medical ~~Malpractice~~ Self-Insurance and the System Intellectual Property Offices.
- 8.2(14) Working in cooperation with the Attorney General of the State of Texas, State agency legal counsel and outside counsel.
- 8.2(15) Assuming responsibility for any other legal, administrative or operational matters delegated by the Chancellor.

Sec. 9. Vice Chancellor for Governmental Relations.

The Vice Chancellor for Governmental Relations reports to the Chancellor. The Vice Chancellor for Governmental Relations is responsible for coordinating the effective representation of the System in the area of governmental affairs as set out in Section 9.2 of this Chapter. The Vice Chancellor for Governmental Relations provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Vice Chancellor for Governmental Relations has direct access to the Board of Regents of The University of Texas System and is expected to work directly with appropriate committees of the Board in discharging the duties of the office.

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

- 9.2 Duties and Responsibilities of the Vice Chancellor for Governmental Relations.  
The primary responsibilities of the office include:
- 9.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
  - 9.22 Representing the Board of Regents of The University of Texas System in its relations with federal, state, and local legislative bodies and agencies.
  - 9.23 Making recommendations to the Chancellor in the area of public policy as it affects the relationship of the System with the federal, state, and local governments.
  - 9.24 Informing appropriate administrative officers of current operations and long-range developments on the federal and state level, which may affect the System.
  - 9.25 Maintaining and distributing information to, and advising appropriate System Administration and component institution officials, in order to assure proper action by the System with respect to federal, state, and local governmental programs and activities.
  - 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. Councils of the System.

- 10.1 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.

- 10.2 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.
- 10.3 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.

10.4 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. 11. Chief Administrative Officers of Component Institutions.

11.1 The Board selects the chief administrative officer of each component institution.  
11.11 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.

11.12 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.

11.13 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.

11.14 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.

11.2 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.

- 11.3 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.
- 11.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:
- 11.311 Develop and administer plans and policies for the program, organization, and operation of the institution.
  - 11.312 Interpret the System policy to the staff, and interpret the institution's programs and needs to the System Administration and to the public.
  - 11.313 Develop and administer policies relating to students, and where applicable, to the proper management of services to patients.
  - 11.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
  - 11.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.
  - 11.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.
  - 11.317 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.

11.318 Appoint, or establish procedures for the appointment of, all faculty, staff, and student committees.

11.319 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<sup>A</sup> 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.

or appropriate Executive Vice Chancellor<sup>A</sup>

Maybe delete

- 11.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 11.31(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. 12. Appointment of Other Officers and Staff.

- 12.1 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.
- 12.2 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.

12.3 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.

12.4 Staff and Officers of System Administration. Staff and officers of System Administration shall be appointed by the Chancellor, the Executive Vice Chancellors, or Vice Chancellors to whom they will report. Officers so appointed shall not have tenure by virtue of their respective offices. They shall hold office without fixed term subject to the pleasure of the officer to whom they report. The actions of the Executive Vice Chancellors or Vice Chancellors concerning such staff and officers are in turn subject to approval by the Chancellor.

12.5 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.

CHAPTER III

PERSONNEL

Sec. 1. Appointments.

- 1.1 The Board, upon the recommendation of the ~~of the~~  
~~the~~ Chancellor, shall elect or appoint, as the case  
may be, all of the officers, faculty members, and  
other employees of the System and of the component  
institutions and agencies of the System, fixing,  
subject to State and Federal laws, the duties,  
rights, and privileges of each employee or each  
class or group of employees; provided, however, that  
the Board may delegate to the ~~the~~  
Chancellor, ~~or through that office,~~ to the chief  
administrative officers of the component  
institutions, authority to appoint employees in  
certain designated classes or categories.
- 1.2 All appointments shall be made on the basis of  
merit.
- 1.3 The chief administrative officers of the component  
institutions shall investigate thoroughly the  
character, integrity, scholastic attainment, and  
other qualifications of prospective members of their  
faculties and staffs before ~~submitting them to the~~  
~~Office of the Chancellor and the Board, or before~~  
exercising any delegated authority for making  
appointments.
- 1.4 The chief administrative officers of the component  
institutions shall not nominate or appoint, nor will  
the Board approve the appointment of, any person  
whose conduct or views are not exemplary; and the  
Board may inquire, or authorize inquiry, into family  
history, health and personal and moral character of  
such person.
- 1.5 As provided in the Constitution of the State of  
Texas, Article I, Section 4, and by statute, no

*and the Chancellor, through  
the appropriate EVC, may  
delegate*

religious qualification shall be required for appointment to any office or position connected with the System or any component institution thereof.

- 1.6 There shall be full compliance with statutory provisions requiring notification to employees.
- 1.7 Each component institution may require X-rays of the chest for applicants to be employed in regular positions. Employees whose duties will require the handling of food or the care of patients must pass a physical examination indicating fitness for the position for which application is made. The examination may be made at the health service of the component institution at which the applicant will be employed, if such service exists. Reports of physical examinations shall be filed as determined by the chief administrative officer.

1.8 Academic Titles.

In order to achieve consistency in the use of academic titles among the component institutions of the System, the following subsections describe the use of titles to apply in all institutions from the date of adoption of this section.

- 1.81 Except for the title Regental Professor, the only titles to be used henceforth in which faculty members may hold tenure are as follows:
  - (a) Professor
  - (b) Associate Professor
  - (c) Assistant Professor
- 1.82 Persons holding a named chair or professorship or a position designated by academic discipline may acquire tenure by virtue of one of the three positions listed above, but not through the named chair or professorship or position designated by academic discipline.
- 1.83 The following academic titles may also be used within University of Texas System institutions. Tenure cannot be awarded to a person appointed to these ranks and, with the exception of the rank of instructor,

academic service within these ranks cannot be counted toward the satisfaction of any required probationary period. Appointments to these titles shall be for a period of time not to exceed one academic year, and, with the exception of the title of instructor, such appointments shall terminate at the expiration of the stated period of appointment without the notification of nonrenewal required by Subsection 6.7 of this Chapter of the Regents' Rules and Regulations. If a component institution determines that it is to the benefit of the institution, it may offer reappointments to these titles.

- (a) Instructor. This title denotes a probationary appointment as a member of an institutional faculty. During the period of probationary appointment to this rank the scholarly competence, teaching performance, and professional promise of the candidate will be evaluated.
- (b) Lecturer. This title may be used for individuals who will serve as teachers and whose experience and qualifications are comparable to those of faculty members in untenured, tenure-track positions.
- (c) Senior Lecturer. This title may be used for special teachers who will augment and complement regular teaching faculty and whose experience and qualifications are comparable to those of faculty members in tenure positions.
- (d) Assistant Instructor or Teaching Associate. These titles may be used interchangeably for (1) certain graduate students teaching on a part-time or full-time basis who are in the last phase of their doctoral programs and who are unconditionally enrolled in graduate study, or

(2) persons who, because of the nature of their duties, such as in a laboratory or in a hospital, do not qualify for one of the usual academic titles and do not hold the academic training or professional distinction usually required for attaining tenure positions.

- (e) Teaching Assistant. This title usually applies to graduate students who are teachers and who are employed on a part-time basis. The only other teaching titles for graduate students are Teaching Associate and Assistant Instructor.
- (f) Faculty Associate. This title may be applied to a person assigned to a research or nonteaching center, institute, or other unit or interdisciplinary program of a component institution.
- (g) Specialist. This title may be used for professional individuals who will serve as practitioners in specific areas of instruction, training or supervision. Upon approval of the chief administrative officer and the ~~University~~ Chancellor, the title may carry appropriate descriptive prefixes so as to indicate the specific areas of proficiency, e.g. Practice Teaching Specialist, Physical Activity Specialist, Social Work Field Training Specialist.
- (h) In the general academic institutions with health-related clinical programs, persons appointed to full-time positions for the primary purpose of patient care and other service activities, with only incidental teaching or research duties, shall be given one of the following titles:
  - (1) Professor of Clinical

\_\_\_\_\_  
(title of specialty)

- (2) Associate Professor of Clinical

\_\_\_\_\_  
(title of specialty)

- (3) Assistant Professor of Clinical

\_\_\_\_\_  
(title of specialty)

*The appropriate Executive Vice  
Chancellor,*

^

(4) Instructor in Clinical

(title of specialty)

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

(1) Professor of

(title of specialty)

(2) Associate Professor of

(title of specialty)

(3) Assistant Professor of

(title of specialty)

(4) Instructor in

(title of specialty)

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

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

- (a) Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. These titles are used only for temporary appointments of persons either visiting from other institutions where they hold similar ranks or who are brought to the University on a trial basis. Such appointments are limited to two years.
- (b) Adjunct Professor, Adjunct Associate Professor, and Adjunct Assistant

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

- (c) Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor and Clinical Instructor. These titles may be used by the components to designate regular part-time service on the faculty while involved in a health professions clinical experience program. Appointments to the faculty with a clinical title may be with or without pay and shall be for a period of time not to exceed one academic year. Such appointments shall terminate upon expiration of

the stated period of appointment without the notification of nonrenewal required by Section 6.7 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to a clinical faculty member.

- (d) Professor Emeritus and Associate Professor Emeritus. One of these titles may be given to a retired faculty member or in anticipation of the retirement of a faculty member, effective upon retirement. The conferring of one of these titles is not automatic upon retirement and is conferred in accordance with procedures developed at the institution and upon approval by the chief administrative officer of the component institution.

1.85 Any person holding a position of Research Scientist, Research Associate, Research Assistant, or (in the health units) other appropriate research title, will be under the classified personnel system, unless special approval has been granted by the chief administrative officer of the institution to designate the individual as an unclassified employee in such a position.

1.86 Any faculty member who is awarded the Nobel Prize or who has in the past been awarded the Nobel Prize may, upon recommendation of the chief administrative officer of the component institution, and the ~~Chancellor~~ <sup>A</sup> Chancellor, be given the title Regental Professor. Because of the great honor associated with the award of a Nobel Prize, institutional tenure is awarded to Regental Professors by virtue of the appointment to this rank.

, Same as page III - 4,

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

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

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

Sec. 2. Classified Personnel Systems.

- 2.1 Subject to System-wide rules, each of the component institutions shall provide a classified personnel system covering all positions not entailing significant instructional responsibilities or responsibilities for administration of instructional or research activities. These systems shall be as nearly uniform as possible, and shall include a schedule of class titles, job specifications for each class, a schedule of pay ranges, and policies and rules relating to personnel administration.
- 2.2 All appointments of classified personnel shall be made within appropriate salary ranges and on salary steps as defined by the classified personnel program

approved by the Board for the particular component institution.

- 2.3 The System-wide rules as to classified personnel are found in Part Two, Chapter V, Section 1.

Sec. 3. Employment of Aliens on Sponsored Projects.

Where sponsored contracts and grants do not otherwise prohibit or limit the employment of noncitizens, a noncitizen may be employed upon certification by an appropriate administrative officer at the component institution, that the officer has examined the applicant's visa and found it to be in order and has ascertained that the applicant has the approval of the United States Immigration authorities to accept such employment.

Sec. 4. Code of Ethics.--Each employee, under state law, shall be furnished a copy of the Code of Ethics (V.C.S. 6252-9b) and, in addition thereto, shall adhere to the following standards of conduct for employees of the System and its component institutions:

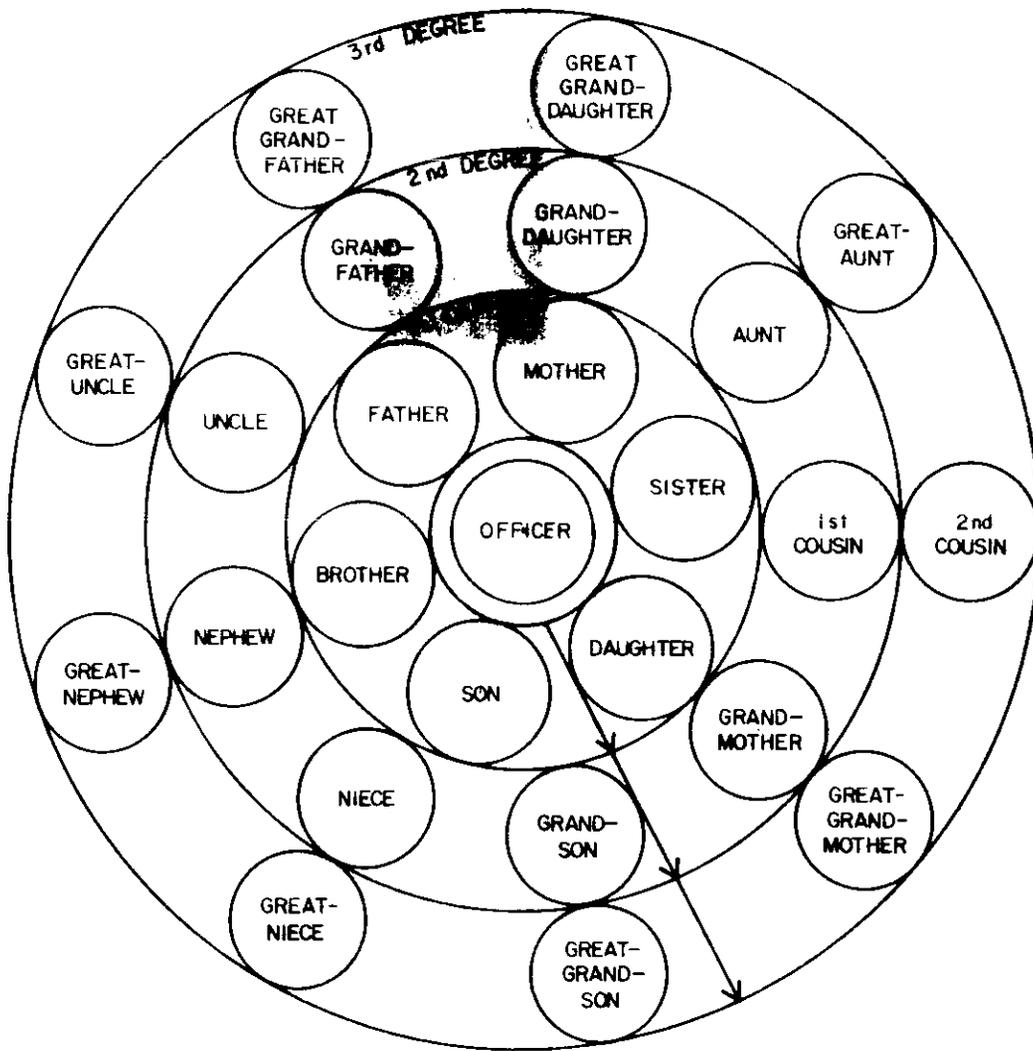
- 4.1 No employee shall accept any gift, favor, or service that might reasonably tend to influence the employee in the discharge of his or her official duties.
- 4.2 If an employee owns a controlling interest in a corporation, firm, partnership, or other business entity which is under the jurisdiction of any state regulatory agency, the employee shall file a sworn statement with the Secretary of State disclosing such interest.
- 4.3 No employee shall use his or her official position to secure special privileges or exemptions for himself/herself or others, except as may be otherwise provided by law.
- 4.4 No employee shall accept employment or engage in any business or professional activity which the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by the employee by reason of his or her official position.

- 4.5 No employee shall disclose confidential information gained by reason of his or her official position, nor shall the employee otherwise use such information for his or her personal gain or benefit.
- 4.6 No employee shall transact any business in his or her official capacity with any business entity of which the employee is an officer, agent, or member, or in which the employee owns a controlling interest.
- 4.7 No employee shall make personal investments in any enterprise which will create a substantial conflict between the employee's private interests and the public interest.
- 4.8 No employee shall accept other employment which might impair the employee's independence of judgment in the performance of the employee's public duties.
- 4.9 No employee shall receive any compensation for services as an employee from any source other than the State of Texas, except as may be otherwise provided by law.

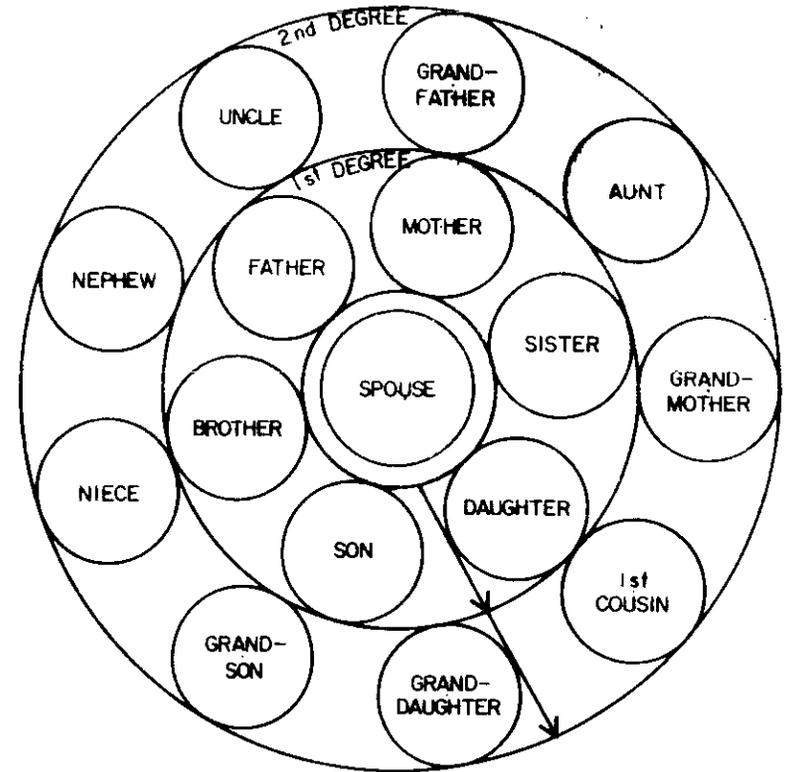
Sec. 5. Appointment of Relatives (Nepotism Rule).

- 5.1 Whenever an appointment is made, either on a full-time or part-time basis, it shall be made solely with regard to the special fitness of the appointee, subject to applicable statutes; and subject also to the provisions of this section of the Regents' Rules and Regulations.
- 5.2 In accordance with the prohibition of Article 5996a, Vernon's Civil Statutes, no person related to any member of the Board of Regents within the second degree by affinity or within the third degree by consanguinity shall be eligible for appointment to any office, position, employment, or duty with The University of Texas System or any component institution thereof, when the salary, fee, or compensation of such appointee is to be paid, either directly or indirectly, out of public funds of any kind.

- 5.21 Article 5996a, Vernon's Civil Statutes, does not prohibit the reappointment or continued employment of any person who shall have been continuously employed in any such office, position, employment, or duty for a period of one (1) year prior to the appointment of the member of the Board of Regents related to such person within the prohibited degree, nor does it apply to prohibit honorary or nonremunerative positions; provided that when such person is reappointed or continued in employment the member of the Board of Regents who is related to such person in the prohibited degree shall not participate in the deliberation or voting upon the reappointment, continuation of employment, change in status, compensation or dismissal of such person, if such action applies only to such person and not to a bona fide class or category of employees.
- 5.22 Those persons related within the prohibited degrees are indicated on the charts displayed in this Section as Table 1.
- 5.23 The prohibition of Article 5996a, Vernon's Civil Statutes, applies to all programs administered under the Board of Regents and may not be waived.
- 5.3 Even though the appointment of a person would not be prohibited by Article 5996a, Vernon's Civil Statutes, no officer, official or employee of The University of Texas System may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such officer, official, or employee within the second degree by affinity or the third degree by consanguinity regardless of the source of funds for payment of salary.
- 5.31 If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the above specified degree, all subsequent actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by the component institution's Personnel Director in the case of classified employees or the chief administrative officer in the case of faculty or nonclassified employees.

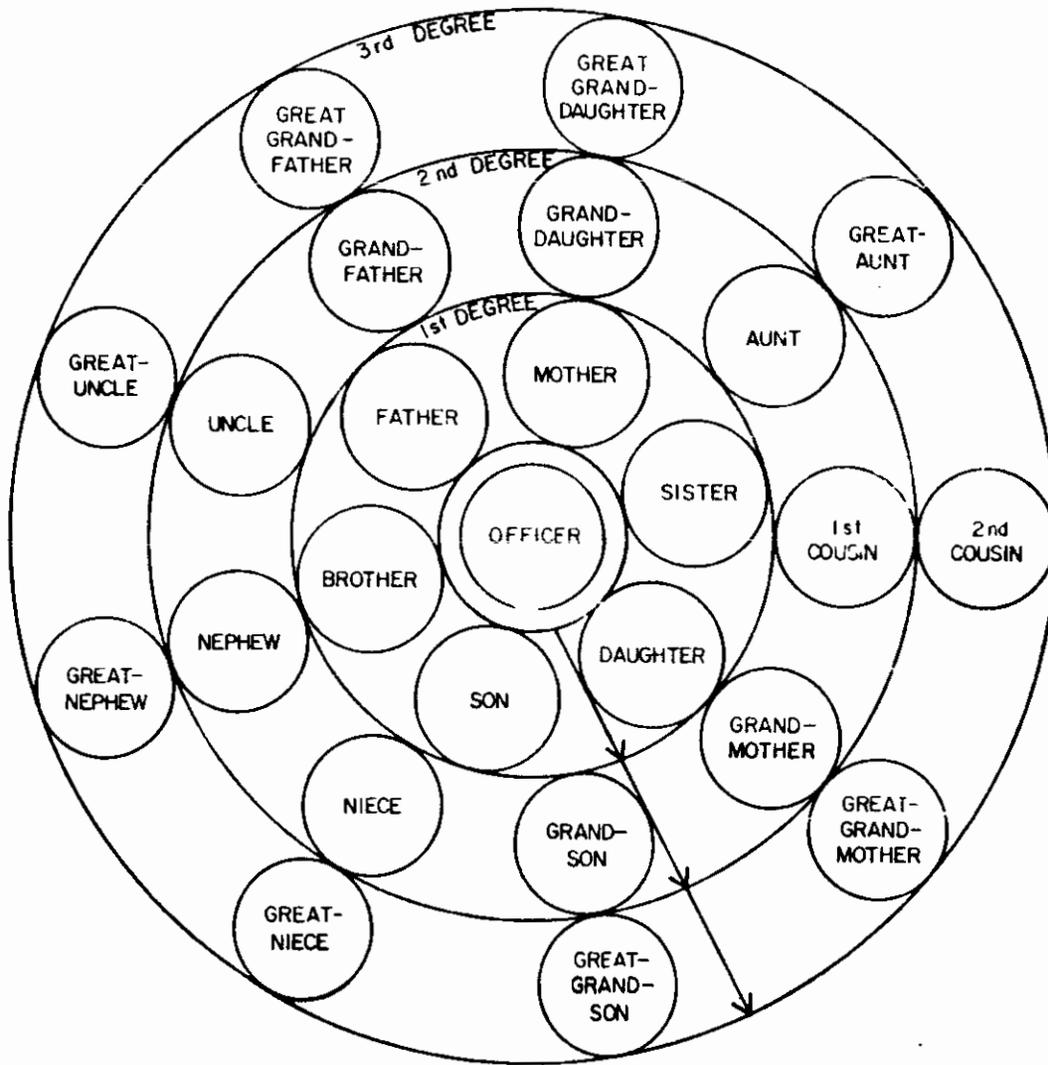


CONSANGUINITY KINSHIP CHART

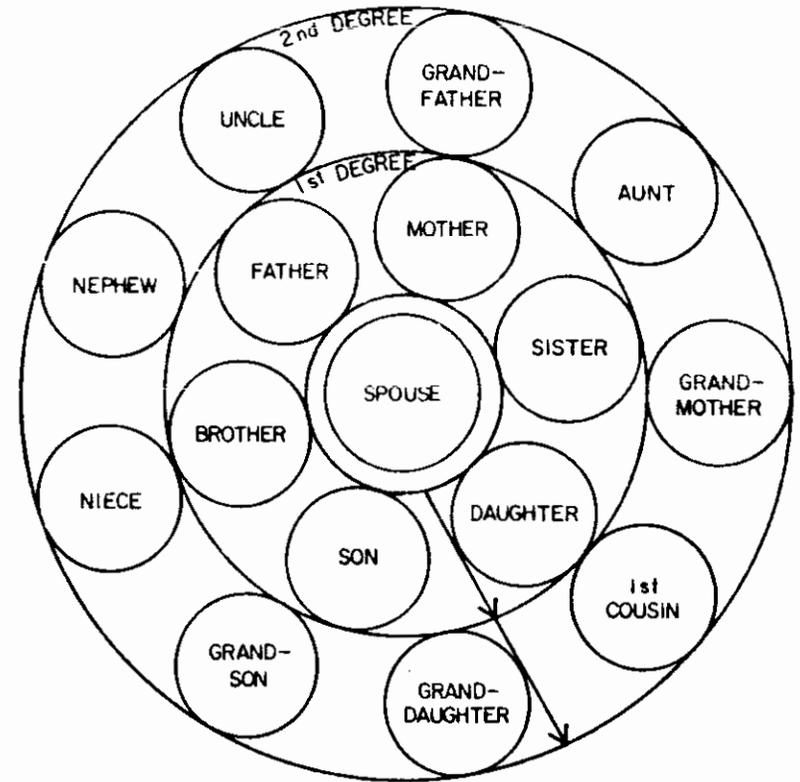


AFFINITY KINSHIP CHART

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CONSANGUINITY KINSHIP CHART



AFFINITY KINSHIP CHART

TABLE I

- 5.32 If the appointment, reappointment, or promotion of a person places him or her in an administrative or supervisory position with responsibility to approve, recommend or otherwise act with regard to the appointment, promotion, or salary of a person who is related to them within the degree prohibited by Article 5996a, all subsequent actions regarding the reappointment, promotion, or salary of such person shall be made by the next highest administrator or supervisor at the component institution or The University of Texas System.
- 5.33 It shall be the responsibility of the administrator or supervisor acting pursuant to Section 5.31 or 5.32 to make a written review of the work performance of such person at least annually and to submit such review to the next highest administrator or supervisor at the component institution or The University of Texas System.
- 5.34 The provisions of Section 5.31 shall apply to situations where two employees of the System marry and one spouse is the administrative supervisor of the other.
- 5.35 All situations covered by Section 5.31 shall be reported annually through the institution's docket or with the annual operating budget.

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

- 6.1 Subject to the provisions of Section 65.32 of the Texas Education Code, which reads, "The board may remove any officer, member of the faculty, or employee connected with the system when in its judgment the interest of the system requires the removal," and subject to the terms and provisions of these Regents' Rules and Regulations, the principles governing tenure and promotion are specified for each component institution in the Handbook of Operating Procedures applicable to that institution. See also Section 1.8 above on academic titles.

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

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

No component institution may adopt or implement a seven-year term appointment policy except The University of Texas of the Permian Basin and The University of Texas System Cancer Center.

6.21 Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and Instructor, or any combination thereof, shall be counted toward fulfillment of a required probationary period related to the acquisition of tenure or a seven-year term appointment. Periods during which a faculty member is on leave of absence shall not be counted toward fulfillment of a required probationary period.

6.22 Prior service at other academic institutions, whether inside or outside the System, shall not be counted toward fulfillment of the

required probationary period unless specifically permitted under the provisions of a component institution's Handbook of Operating Procedures.

6.23

The maximum period of probationary faculty service in nontenured status in any academic rank or combination of academic ranks specified in Section 6.21 shall not be more than seven years of full-time academic service at the general academic institutions of the System and not more than nine years of full-time academic service at the health science centers of the System. In the event that a component institution fails to specify the maximum length of probationary service in its Handbook of Operating Procedures, such period shall be seven years at the general academic institutions of the System and nine years at the health science centers of the System. No later than August 31st of the penultimate academic year of the maximum probationary period in effect at any component institution, all nontenured faculty serving in a rank which accrues time toward satisfaction of a probationary period shall be given notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure or a seven-year term appointment will be granted. In the event that the employment of a nontenured faculty member is to be terminated prior to the end of the maximum probationary period, notice shall be given in accordance with Section 6.7 below.

6.24

For purposes of calculating the period of probationary service, an "academic year" shall be the period from September 1st through the following August 31st. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the following September 1st shall not be counted as academic service toward fulfillment of the maximum

probationary period. One year of probationary service is accrued by at least nine months full-time academic service during any academic year. A faculty member shall be considered to be on full-time academic service when in full compliance with regental standards pertaining to minimum faculty workloads at general academic institutions or when in compliance with the academic service standard in the Handbook of Operating Procedures of any health-related institution.

6.25 All faculty appointments are subject to the approval of the Board. No nontenured member of the faculty should expect continued employment beyond the period of his or her current appointment as approved by the Board. Any commitment to employ a nontenured member of the faculty beyond the period of his or her current appointment shall have no force and effect until approved by the Board.

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

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

6.262 The acceptance of an appointment to a tenured position on the faculty of an educational institution outside the

System shall be considered as a resignation of any faculty position with the title of Instructor, Assistant Professor, Associate Professor, or Professor that such appointee may hold at a System component.

- 6.3 Termination by an institution of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of their appointment, except as is otherwise provided in Subsection 6.26, or by resignation or retirement for age in accordance with these rules, will be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the System.
- 6.31 A chief administrative officer may for grave cause suspend an accused faculty member pending immediate investigation or speedy trial as hereinafter provided.
- 6.32 In cases of incompetency, gross immorality, or felony, where the facts are admitted, summary dismissal will follow.
- 6.33 In cases where other offenses are charged, and in all cases where the facts are in dispute, the accused faculty member will be informed in writing of the charges, which, on reasonable notice, will be heard by a special hearing tribunal whose membership shall be appointed by the chief administrative officer from members of the faculty whose academic rank is at least equal to that of the accused faculty member.
- 6.331 In every such hearing the accused will have the right to appear in person and by counsel of the accused's selection and to confront and cross-examine witnesses who may appear.
- 6.332 The accused faculty member shall have the right to testify, but may not be required to do so, and may introduce in his or her behalf all evidence, written or oral, which may be relevant or material to the defense.

- 6.333 A stenographic or electronic record of the proceedings will be taken and filed with the Board, and such record shall be made accessible to the accused.
- 6.334 A representative of the institution may appear before the hearing tribunal to present witnesses and evidence against the accused faculty member and in support of the charge brought against such faculty member, and such institutional representatives shall have the right to cross-examine the accused faculty member (if the faculty member testifies in his or her own behalf) and the witnesses offered on behalf of the faculty member.
- 6.335 The hearing tribunal shall not include any accuser of the faculty member. If the accused faculty member is not satisfied with the fairness or objectivity of any member or members of the hearing tribunal, the faculty member may challenge their alleged lack of fairness or objectivity, but any such challenge must be made prior to the submission of any evidence to the hearing tribunal. The accused faculty member shall have no right to disqualify any such member or members from serving on the tribunal. It shall be up to each such challenged member to determine whether he or she can serve with fairness and objectivity in the matter, and if any such challenged member should voluntarily disqualify himself, the chief administrative officer shall appoint a substitute member of the tribunal who is qualified hereunder.
- 6.336 The hearing tribunal, by a majority of the total membership, will make written findings on the material facts and a recommendation of the continuance

or termination of the accused faculty member's tenure. The hearing tribunal, by a majority of its total membership, may make any supplementary suggestions it deems proper concerning the disposal of the case. The original of such findings and the basic recommendation, together with any supplementary suggestions, shall be delivered to the Board and a copy thereof to the accused. If minority findings, recommendations, or suggestions are made, they shall be similarly treated.

6.34 The Board, by a majority of the total membership, will approve, reject, or amend such findings, recommendations, and suggestions, if any, or will recommit the report to the same tribunal for hearing additional evidence and reconsidering its findings, recommendations, and suggestions, if any. Reasons for approval, rejection, or amendment of such findings, recommendations, or suggestions will be stated in writing and communicated to the accused.

6.35 Nontenured faculty members who are notified in accordance with Section 6.7 that they will not be reappointed or who are notified in accordance with Section 6.23, 6.7, or 6.8 that the subsequent academic year will be the terminal year of appointment shall not be entitled to a statement of the reasons upon which the decision for such action is based. No hearing to review such a decision shall be held unless the affected faculty member submits in writing to the chief administrative officer of the institution factual allegations that the decision to terminate was based upon the faculty member's exercise of rights guaranteed by the laws or Constitution of this state or the United States and requests an administrative hearing to review these allegations. Such allegations shall be heard under the same procedures as in the case of dismissal for cause, with the following exceptions:

- (1) the burden of proof is upon the affected faculty member to establish at such hearing that the decision in question was based on the faculty member's exercise of rights guaranteed by the laws or Constitution of this state or the United States;
- (2) the administration of the institution need not state the reasons for the questioned decision or offer evidence in support thereof unless the affected faculty member presents a prima facie case in support of the allegations.

- 6.4 Any employee of any component institution of the System, including any member of the faculty or administration, who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to dismissal as an employee. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.
- 6.5 Every faculty member and employee is expected to obey all federal, state, and local laws, and particularly Section 42.01 (Texas Penal Code) and Sections 4.30 and 4.31 (Texas Education Code). Any faculty member or employee who violates any provision of these three statutes is subject to dismissal as a faculty member or employee, notwithstanding any action by civil authorities on account of the violation.
- 6.6 The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every faculty member and employee of the System and its component institutions. Any faculty member or employee who violates the minimum standards of conduct required by any felony

statute of Texas or the United States is subject to dismissal as a faculty member or employee, regardless of whether or not any action is taken against the faculty member or employee by civil authorities on account of such violation. If action for dismissal is taken, the appropriate administrative official shall proceed with the action in the same manner as he would in the case of a violation by a faculty member or employee of any other provision of these rules and regulations or a provision of any Handbook of Operating Procedures.

- 6.7 In the event of decision not to reappoint a nontenured faculty member, written notice will be given him or her not later than March 1st of the first academic year of probationary service if the appointment expires at the end of that academic year, or not later than December 15th of the second academic year of probationary service if the appointment expires at the end of that academic year. After two or more academic years written notice shall be given not later than August 31st that the subsequent year will be the terminal academic year of appointment. The notice required by this Section is not applicable where termination of employment is for good cause under Section 6.3 above.
- 6.8 A faculty member serving a seven-year term appointment shall be given notice not later than August 31st of the sixth academic year of such appointment period that the subsequent academic year will be the terminal year of employment or that, subject to the approval of the Board, at the conclusion of the subsequent academic year he or she will be reappointed to a seven-year term appointment.
- 6.9 Reappointment of nontenured members of the faculty to a succeeding academic year, reappointment of members of the faculty who are serving a seven-year term appointment to a succeeding seven-year term appointment, or the award of tenure or a seven-year term appointment, may be accomplished only by notice by the chief administrative officer of a component institution or his delegate with the approval of the Board.

Notwithstanding any provisions of Section 6.23, 6.7 or 6.8 to the contrary, no person shall be deemed to have been reappointed or to have been awarded tenure or a seven-year appointment because notice is not given or received by the time prescribed in Section 6.23, 6.7 or 6.8 or in the manner prescribed in Section 6.(11). Should it occur that no notice is received by the time prescribed in Section 6.23, 6.7 or 6.8, it is the duty of the academic employee concerned to make inquiry to determine the decision of the chief administrative officer of a component institution, who shall without delay give the required notice to the academic employee.

- 6.(10) Each faculty member shall keep the chief administrative officer of the component institution or his delegate notified of his current mailing address. The written notice required by Section 6.23, 6.7, or 6.8 shall be sent by certified mail, return receipt requested, to the last address given by the faculty member.
- 6.(11) Dismissal or demotion of classified or nonteaching personnel before the expiration of the stated period of appointment will be only for good cause shown, as determined by appropriate administrative officers to whom this responsibility is delegated by the chief administrative officer of the component institution and in case of such dismissal or demotion any appeal shall be reviewed by the chief administrative officer of the component institution.
- 6.(12) The chief administrative officer of a component institution has the responsibility for determining when it shall be necessary to reduce academic positions, the titles of which are given in Subsection 1.8 of this Chapter, or academic programs or both, subject to approval by the appropriate Executive Vice Chancellor of The University of Texas System. When such reductions are necessary as a result of financial exigency, the procedure for the selection and notification of those academic positions that are to be terminated shall be governed by this Section, and neither the procedures specified in Subsection 6.3 of this Chapter nor the notice requirements of Subsections 6.23, 6.7, and 6.8 of this Chapter shall be applicable.

*and the  
Chancellor*

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

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

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

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

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

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

Sec. 7. Rights and Responsibilities as a Citizen and as a Teacher.

- 7.1 The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other academic duties.
- 7.2 The teacher is entitled to freedom in the classroom in discussing his or her subject, but is expected not to introduce into his or her teaching controversial matter which has no relation to his or her subject.
- 7.3 The university teacher is a citizen, a member of a learned profession, and an officer of an educational institution supported by the state. When the teacher speaks or writes as a citizen, he or she should be free from institutional censorship or discipline, but the teacher's special position in the community imposes special obligations. As a person of learning and an educational officer, the teacher should remember that the public may judge the profession and the institution by his or her utterances. Hence the teacher should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make it plain that the teacher is not an institutional spokesman. As a member of the staff of a State institution of higher education, he or she should refrain from involving the System or any of its component institutions in partisan politics.

7.4 The Board of the System recognizes and affirms the right of a member of the faculty or staff to participate in political activities so long as such political activities do not interfere with the discharge of the duties and responsibilities that the employee owes to the System or any of its component institutions and so long as such political activities do not involve the System or its component institutions in partisan politics (See Section 7.3). With the interest of the System or its component institutions being given first consideration, a leave of absence without pay may--but need not--be granted to a member of the faculty or staff (See Section 16). However, it would be inappropriate for a leave of absence without pay to be granted primarily to permit a member of the faculty or staff of the System or its component institutions to participate in political activity, including, but not limited to, being a candidate for political office, holding a political office, or directing the political campaign of another person seeking a political office. Therefore, if a member of the faculty or staff wishes to engage in political activity that interferes with the discharge of the duties and responsibilities that the employee owes to the System or any of its component institutions, the employee should voluntarily terminate employment by the institution. On the other hand, if the faculty or staff member does not voluntarily terminate employment by the institution and if the faculty or staff member's superior officer, such as the chief administrative officer, the Chancellor, an Executive Vice Chancellor, or the Board, finds that the faculty or staff member's political activity does in fact interfere with the discharge of the duties and responsibilities that the employee owes to the System or any of its component institutions, the chief administrative officer, the Chancellor, an Executive Vice Chancellor, or the Board shall terminate employment by the institution.

Sec. 8. The Greater Duties of a Member of the Teaching Staff.

8.1 Common practice has fixed the greater duties of a member of the teaching staff so clearly that many institutions do not even list them among their regulations. They are:

- 8.11 Teaching in the classroom, laboratory, seminar, or ward.
  - 8.12 Studying, investigating, discovering, and creating.
  - 8.13 Performing curricular tasks auxiliary to teaching and research, e.g., serving on faculty committees, attending to administrative and disciplinary tasks, promoting diligence and honest work in the student body.
  - 8.14 Influencing beneficially students and citizens in various extracurricular ways.
- 8.2 Performance as a teacher, as a scholar, as an administrator, and as an individual is valued greatly by any university, for in these four ways its work is chiefly done.
- 8.3 A state university being a public enterprise of maximum social importance, it is the duty of all persons connected with it to be as civic-minded as possible. It is also a duty to cooperate with the Board in carrying out the purposes and policies of the Board which are deliberately considered, usually by both the Board and the several faculties, in accordance with law and designed to attain the best educational results with the resources available. The Regents and all administrative officers are entitled to the cheerful acquiescence of all staffs in carrying out the policies duly adopted. At the same time, administrative officers are expected to listen with an open and appreciative mind to criticisms and suggestions coming to them from members of their staffs.

Sec. 9. Acquaintance with, Conformity to, Availability and Improvement of Regulations.

- 9.1 It is a specific and important duty of each member of the several teaching staffs to become acquainted with and to conform to all the rules and regulations relating to faculty and to the proper and orderly discharge of their work that are to be found set forth in both these Regents' Rules and Regulations and the institutional Handbook of Operating Procedures; in

catalogues, announcements of courses, and other official publications; in printed or other material regularly prepared for the use of the staff; and in minutes of the faculties. To this end, copies of the Regents' Rules and Regulations, Part One, and the official Institutional Handbook of Operating Procedures shall be reproduced by the chief administrative officer and distributed and located on campus as considered appropriate by the chief administrative officer. The chief administrative officer shall have one copy of the Rules and Regulations and the institutional Handbook of Operating Procedures available at an appropriate location in his or her office for ready reference. In addition, the chief administrative officer shall distribute a copy of these two documents to the secretary to the faculty or representative faculty body at the institution. The official, current copy of the Regents' Rules and Regulations is maintained by the Executive Secretary to the Board.

- 9.2 It is also the specific duty of each member of the teaching staffs to consider the regulations and the routines in conforming to them and to propose what seem to be desirable changes in these regulations and routines to the appropriate faculty or official.

Sec. 10. Communications, Appeals, and Hearings.

- 10.1 Every member of a teaching staff has the right to propose changes in policies and procedures and to present arguments in support thereof.
- 10.11 Proposals should originate and follow routines as prescribed elsewhere in the Regents' Rules and Regulations or in the institutional Handbook of Operating Procedures.
- 10.12 When a proposal has been approved or amended by the appropriate institutional officials, faculties, and the component chief administrative officer, it shall then go to the ~~Office of the Chancellor~~ for recommendation to the Board if such action is required.

appropriate EVC and the Chancellor

- 10.13 When a proposal has been approved or amended or rejected by the appropriate institutional officials, faculties, and the component chief administrative officer, any member or group of members of the staff may present an appeal in opposition to the action of the majority or in opposition to the recommendation of the institutional official or the component chief administrative officer, and this appeal, accompanied by reasons for and against the proposal, shall go through the prescribed administrative channels and shall be presented to the ~~Chairman of the~~ Chancellor and thence to the Board for final action. The deans and other institutional officials, the component chief administrative officer, the ~~Chairman of the~~ Chancellor and the Board may invite both sides for personal conferences and discussions.
- 10.14 An authorized routine for proposals, with the right of appeal, having been herein fixed, it follows that proposals shall always be made in accordance therewith.

*Through the appropriate Executive Vice Chancellor*

*, same as page III-4,*

- 10.2 Every voting member of any faculty has the right and the duty to propose changes and to participate in debate in faculty meetings.
- 10.3 Appeals of classified (nonteaching) employees concerning conditions of employment must be made in keeping with the rules governing such employees.

Sec. 11. Communications with the Legislature and Other State Agencies or Officials.--The Board is the only proper channel through which recommendations concerning the administration of the System, as a whole or in any of its parts, should reach the Legislature or other state agencies or officials.

Sec. 12. Office Hours.--Members of the teaching staffs are expected to post on their office doors, and publish in any other manner required by the chief administrative officer, office hours and conference periods most advantageous to students.

Sec. 13. Outside Employment.

- 13.1 Members of the faculty or staff of component institutions should not be discouraged from accepting appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions. The consideration to the System of such activity is the improvement of the individual by virtue of his continuing contact with nonacademic problems in the nonacademic world.
- 13.2 Members of the faculty or staff should be discouraged from accepting regular employment with units outside the System because this action would be divisive of loyalties and does not provide the return to the institutions indicated in 13.1.
- 13.3 Conflict of interest should be avoided in all instances of outside employment, but conflict of interest in an academic institution means outside activity which intrudes upon the academic functions of teaching, scholarly activities, and service to the institution.
- 13.4 Even in the case of members of the staff specifically engaged only in residence work, there exists an obligation, usually intermittent, to furnish expert knowledge and counsel for public benefit free of charge, provided that the meeting of this obligation by a faculty or staff member does not interfere with his regular duties, and provided further that in meeting this obligation a faculty or staff member on full-time duty shall avoid undue competition with legitimate private agencies.
- 13.5 No member of the faculty or staff engaged in outside remunerative activities shall use in connection therewith the official stationery of the System or any of its component institutions, or give as a business address any building or department of the institution.
- 13.6 No member of the faculty or staff shall accept employment or any position of responsibility if the discharge of such employment or responsibility will be antagonistic to the interests of the State of Texas or the System or any of its component institutions.

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

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

Sec. 15. Vacation.

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

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

- 15.3 In the case of death of an employee who has accumulated vacation leave, his estate will be paid for all accumulated vacation leave. The payment shall be calculated at a rate of compensation being paid the employee at the time of his death.

Sec. 16. Leaves of Absence without Pay.

- 16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff.
- 16.2 The maximum unit period for which a leave of absence will be granted is the end of the fiscal or academic year in which the leave begins. In normal times, leaves for one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements.
- 16.3 Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity which reflects credit on the institution and enhances an individual's subsequent contributions to the institution, a second consecutive year of leave of absence will not be granted.
- 16.4 Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted.
- 16.5 After a return to active duty of one year or more, the leave-of-absence privilege will again be available.
- 16.6 The granting of a leave of absence does not affect in any way the tenure position of the grantee.
- 16.7 For leave of absence to participate in a political campaign see Part One, Chapter III, Sec. 7.4.

- Sec. 17. Faculty Development Leaves.--Faculty development leaves for faculty members may be granted as set out in House Bill 669, 60th Legislature, Regular Session, 1967. This bill provides that after two consecutive academic years at the same institution faculty members as defined in this Act may be considered for a faculty development leave for one academic year at one-half his regular salary or for one-half academic year at his full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.
- Sec. 18. Division of Salaries for Staff Engaged in Teaching and Nonteaching Activities.--Each component institution shall develop policies covering budgetary division of salaries for individuals whose employment is divided between teaching and nonteaching assignments subject to current statutory requirements or limitations. These policies shall be set forth in the institutional Handbooks of Operating Procedures.
- Sec. 19. Sick Leave.
- 19.1 Sick leave for all employees, including faculty, nonteaching personnel, and classified personnel, shall be as provided by state law.
- 19.2 In cases where illness incapacitates a member of an institutional or professional staff, arrangements for carrying on his usual duties must be made through appropriate administrative channels with the chief administrative officer of the institution.
- 19.3 In the case of death of an employee who has accumulated sick leave, the estate will be paid for the accumulated sick leave as permitted by law. The payment shall be calculated at the rate of compensation being paid the employee at the time of death.
- Sec. 20. Leave for Jury Duty.--Necessary time off for jury duty is allowed without loss of pay or vacation leave.

Sec. 21. Absence from Usual and Regular Duties.

- 21.1 Authorization for any member of a faculty or staff to be absent from his 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 the Fiscal Rules (See Part Two hereof).

Sec. 22. Authorization to Travel.

- 22.1 Authorization to travel will be granted only under the conditions specified in the Fiscal Rules (See Part Two hereof).
- 22.2 A faculty or staff member whose usual duties do not require travel shall not be absent from the regular place of work and usual duties except with permission obtained according to the Fiscal Rules (See Part Two hereof).

Sec. 23. Compensation for Correspondence and Extension Teaching of Full-Time Staff Members. -- Compensation rates for correspondence courses and extension center teaching for full-time teachers on a nine months' basis or for other employees on a twelve months' basis shall be in accord with rates fixed by the then current appropriation bill. If not so fixed, they shall be set from year to year by the chief administrative officer with the approval of the ~~Board~~ Chancellor.

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

- 24.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:
- 24.11 Although generally the individual instructor or the department should have wide discretion in the choice of materials to be used in the

courses offered by the department, frequent changes in the textbooks prescribed should be discouraged and should be made only for cogent reasons.

24.12 Although the authorship of books, outlines, manuals and similar materials by members of the staff should be encouraged, the prescribed use of these for students is a responsibility that goes beyond that of the individual author. Where practicable and equitable, the charge for outlines, syllabi, and similar materials prescribed for the use of students should be borne by the instructional department concerned. Whenever a charge is authorized for such mimeographed or similarly processed materials, the prices should be as low as possible, consistent with the payment of a fair and reasonable royalty to the author or authors.

24.2 To carry out this statement of policy the following procedures are prescribed:

24.21 Any proposed change in the textbook of any course, within one year from the date of first adoption, shall be approved by the departmental faculty having jurisdiction, and a statement of the authorization with reasons therefor shall be transmitted by the chairman of the department through the dean to the chief administrative officer.

24.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until such books, notes, manuals, or materials shall have been approved, with reasons stated, by the departmental faculty, the dean or deans concerned, and transmitted to the chief administrative officer for approval and inclusion in the next regular docket. All such requests shall indicate the proposed prices and profits, and their authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.

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

Sec. 26. Acceptance of Money from Students.

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

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

Sec. 27. Power to Authorize Expenditures out of System Funds.

27.1 No expenditure out of funds under control of the Board shall be made and no debt or obligation shall be incurred and no promise shall be made in the name of the System or any of its component institutions or of the Board by any member of the respective staffs of the System or any of its component institutions except:

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

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

27.13 In accordance with authority to act for the Board when it is not in session, specifically vested in some university officer by these Rules and Regulations or by special action of the Board.

27.2 It shall be the duty of the several institutional officers to see that all claims for payments of items not authorized as indicated above are refused and returned unpaid.

27.3 There shall be no sale to or purchase from the System or its component institutions by any employee thereof unless same has been duly authorized by the Board and the details relating thereto have been entered in its minutes.

Sec. 28. Indebtedness to the System or the State.--Neither salary payments nor any other payments shall be made to an employee, his agent or assignee, who is indebted to the System, any of its component institutions, or to the State until such debt is paid.

Sec. 29. Power to Bind the System in Fixing its Policies.--No employee of the System or any of its component institutions, as an individual or as a member of any association or agency, has the power to in anywise bind the System or any of its component institutions unless such power has been officially conferred in advance by the Board. Any action which attempts to change the policies or otherwise bind the System or any of its component institutions, taken by any individual or any association or agency, shall be of no effect whatsoever until the proposed action has been approved by the chief administrative officer concerned, if any, and the ~~-----~~ Chancellor, and ratified by the Board.

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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 tenured faculty member or law enforcement officer of The University of Texas System or of any component institution or agency thereof shall be continued in a full-time service capacity or at a full-time compensation rate beyond the end of the fiscal year that includes his or her seventieth birthday.
- 31.2 <sup>^</sup> The Board of Regents, upon the recommendation of the ~~office of the Chancellor~~ and, when appropriate, the chief administrative officer of the affected component institution, may appoint a person who has retired pursuant to Subsection 31.1 to modified service after the end of the fiscal year that includes the person's seventieth birthday.
- 31.3 Recommendation for, and appointment to, modified service shall be made only after a review of the individual's past and current performance and a finding that the individual is not only competent to continue his or her duties, but that the continued service of the individual will result in a significant benefit to the System or a particular component institution.
- 31.4 Appointment to modified service shall be for one academic year and may be renewed for successive terms of one academic year after an annual review, recommendation, and finding as set forth in Subsection 31.3. The notice provisions of Section 6.8 of this Chapter shall not apply to nonrenewal of such appointments.
- 31.5 The workload of an individual on modified service shall be no more than one-half of his or her workload immediately preceding appointment to modified service. Salary rate shall be in the same proportion of his or her salary rate for the fiscal year immediately preceding appointment to modified service as his or her workload is to a full-time workload and shall be subject to adjustment in accordance with policies and procedures applicable to other employees.

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31.6 Upon recommendation of the ~~Office of the~~ Chancellor and, when appropriate, the chief administrative officer of the affected component institution, the Board of Regents may, by unanimous vote of the members present, make exceptions to this Section in special cases when the Board finds that the services of a particular individual will be of unique benefit to the System or a component institution.

Sec. 32. Faculty and Staff Organizations.

- 32.1 Each component institution shall adopt procedures for the registration of faculty and staff organizations at that institution. The period of registered status of an organization shall not exceed one academic year and such status shall automatically terminate at the end of each academic year; provided, however, an organization previously registered as a faculty or staff organization may apply for and be granted registration for subsequent periods of one academic year if it meets all applicable criteria in effect for the period for which registration is sought.
- 32.2 A registered faculty or staff organization shall be subject to all applicable rules and regulations of the component institution and The University of Texas System. Action taken by or on behalf of a registered faculty or staff organization that results in a violation of such rules and regulations is subject to disciplinary action which may result in the suspension or revocation of the registered status of the organization.
- 32.3 No organization may become registered or remain registered at a component institution as a faculty or staff organization unless the membership of the organization is restricted to the faculty or staff of that component institution.
- 32.31 At the time of application for registration and at the beginning of each semester that an organization is registered as a faculty or staff organization, each such organization shall file with the appropriate officer at the component institution an affidavit

executed by the president, chairman, or other appropriate official of the organization stating that the organization does not presently have, nor during any period of registration will it have, as a member any person who is not a member of the faculty or staff of the institution.

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

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

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

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

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

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

CHAPTER IV

FACULTY ORGANIZATION

Sec. 1. Educational Policy.

- 1.1 The Board will devote its best efforts to making all of institutions composing the System institutions of the "first class," as the Texas Constitution directs in Article VII, Section 10. The Board will be guided in general by the best practices of the best universities in the United States and abroad, especially by the best practices of state universities in the United States.
- 1.2 The Board will not, except in extraordinary cases, act on important matters of academic policy until it has received, or requested and obtained, advice thereupon from the institutional faculty or faculties affected or their legislative bodies. When new policies originating in any faculty give rise to serious differences of opinion in that body, the advice and recommended legislation shall, at the request of the minority, be accompanied by a record of the vote and by a summary of the reasons for and against the matters proposed.

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

- 2.1 General Authority.--Subject to the authority of the Board and subject further to the authority that the Board has vested in the various administrative officers and subdivisions of the System, the faculties of the component institutions regularly offering instruction shall have a major role in the governance of their respective institutions in the following areas:
- 2.11 General academic policies and welfare.
- 2.12 Student life and activities.
- 2.13 Requirements of admission and graduation.

- 2.14 Honors and scholastic performance generally.
- 2.15 Approval of candidates for degrees.
- 2.16 Faculty rules of procedure.

2.2 Necessity of Approval by Regents.--Legislation recommended by an institutional faculty, or legislative body thereof, requiring approval of the Board, shall not be effective unless and until approved by the Board. Such legislation by a college or school faculty shall not be presented to the Board until it has been approved by the institutional faculty, either directly or through its legislative body, and has received the consideration and recommendation of the appropriate chief administrative officer(s) and the ~~officer~~ <sup>Chancellor</sup>. The faculty affected will be notified by the Board, through administrative channels, of its action on recommended faculty legislation.

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2.3 When Legislation is Effective.--Except where the Board has specifically authorized procedure for placing into effect emergency faculty legislation without prior Board approval, institutional faculty legislation shall become effective only upon approval by the Board or at such later time as the Board shall specify. The secretary of the institutional faculty shall be notified of Board action, and notice of such action shall be included in the official minutes of the faculty.

2.4 Approval of Degree Candidates.--It shall be the duty of the several institutional faculties to recommend approval or disapproval of all candidates for degrees. This duty may be delegated for any academic year by affirmative vote of the institutional faculty, or its legislative body, to the respective deans or other appropriate official. Should this duty not be delegated, then the institutional registrar, or his equivalent, shall furnish to the members of the institutional faculty a complete list of the degree candidates for recommendation.

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

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CHAPTER V

GRADUATE EDUCATION IN THE UNIVERSITY OF TEXAS SYSTEM

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Sec. 1. The various component institutions of the System authorized to offer graduate degrees shall provide and maintain an appropriate faculty and administrative organization for such graduate degrees. The chief administrative officer of each component institution of the System shall be responsible to the ~~Office of the Chancellor~~, and through ~~it~~, to the Board for policies and administration of the graduate programs.

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"Graduate programs," as the term is used in these rules, does not include the programs that lead to the M.D., D.D.S., M.P.H., Dr. P.H., J.D., LL.M., and M.C.J. degrees, or others that may be excluded upon recommendation by the chief administrative officer of the component institution and ~~concurrence by the Office of the Chancellor~~.

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Sec. 2. Within the general academic components, *appropriate EVC and* the designation "Graduate School" will be used if (a) there is a minimum of three distinct programs approved for doctoral degrees and thirty such doctoral degrees have been awarded; or (b) there is a minimum of ten distinct programs approved for master's degrees and fifty master's degrees have been awarded. In component institutions that do not meet these requirements, graduate study will be in a "Division of Graduate Studies."

Sec. 3. Graduate programs in the health components shall be administered as follows:

3.1 In the Health Science Centers at Dallas, Houston, and San Antonio and at Galveston Medical Branch the graduate programs will be administered through a Graduate School of Biomedical Sciences.

3.2 In the Nursing Schools of component institutions, graduate education will be administered as specific graduate programs coordinated by an administrative officer designated by the chief administrative officer of the component institution.

3.3 In the System Cancer Center research and graduate instruction will be offered in cooperation with other components which are authorized to award graduate degrees.

Sec. 4. Component institutions which offer graduate degrees and elect an administrative organization and designations different from those authorized above may do so only upon the recommendation of the chief administrative officer, the concurrence of the ~~appropriate~~ Chancellor and the approval of the Board.

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Sec. 5. The policies and procedures for staffing and administering the graduate programs at all component institutions shall be set forth in the institutional Handbook of Operating Procedures. These policies and procedures shall include qualifications for faculty members assigned to teach graduate courses, supervise graduate programs, and advise graduate students.

Where two or more components of the System are authorized to conduct joint or cooperative degree programs, the chief administrative officers of the cooperating institutions shall be authorized to establish, subject to the approval of the ~~Office of the Chancellor~~, special procedures and organizations for the administration of such programs.

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CHAPTER VI

STUDENT SERVICES AND ACTIVITIES

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 title, "Dean of Students," appears in this chapter, reference is made to the administrator bearing that title, or the officer or officers directly responsible for student affairs at each component institution.

1.3 All authority held and exercised by a Dean of Students is delegated to the Dean by the chief administrative officer just as all authority held and exercised by a chief administrative officer is delegated by the appropriate Executive Vice Chancellor. Therefore, any action taken is subject to review by the chief administrative officer and the appropriate Executive Vice Chancellor, and both the appropriate Executive Vice Chancellor and the chief administrative officer may approve, amend, or disapprove such action, just as the appropriate Executive Vice Chancellor may approve, amend, or disapprove any action taken by the administrative head of any component institution.

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1.4 Any individual student, group of students, or student organization may petition the Board on any matter relating to these policies and regulations through the Dean of Students, the chief administrative officer, and the Office of the Chancellor.

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1.5 These policies and regulations shall become effective on December 1, 1978, and shall, at that time, supersede all other policies and regulations that may be in conflict herewith.

- 1.6 Definition of Student.--A student is one who is currently enrolled at any of the component institutions of the System. These policies and regulations will also apply to any prospective or former student who has been accepted for admission or readmission to any component institution while he or she is on the campus of any component institution.
- 1.7 Definition of Campus.--The campus of a component institution is defined as all real property over which that institution has possession and control.

Sec. 2. The Dean of Students and His or Her Staff.

- 2.1 The Dean of Students shall be the administrative officer primarily responsible for the development and administration of policies relating to students and for the development and implementation of services to students in the areas assigned to him or her. The Dean shall have responsibility for the initial preparation of institutional regulations which will implement the policies and regulations set forth in this Chapter.
- 2.2 The Dean of Students shall have primary responsibility for (1) the supervision and development of student out-of-class programs and activities and of all student organizations; (2) the development of policies affecting student life; (3) the promulgation and enforcement of institutional rules that govern student conduct; and (4) the administration of student discipline on the campus.
- 2.3 The administrative staff of the Dean of Students shall consist of the heads of services for which the Dean has administrative responsibility.
- 2.4 The Dean of Students shall work with academic deans and department chairmen in structuring and implementing a program of faculty advising for both old and new students.

- 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 for one calendar year.
- 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.

3.4 The use of intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas; provided, however, that with the prior consent of the chief administrative officer, the foregoing provisions of this Section may be waived with respect to any specific affair which is sponsored by the institution. However, with respect

to the possession and consumption of alcoholic beverages, state law will be strictly enforced at all times on all property controlled by the System and its component institutions.

- 3.5 No former student who has been suspended or expelled for disciplinary reasons from a component institution of the System shall be permitted on the campus of any component institution during the period of such suspension or expulsion without the prior written approval of the chief administrative officer of that institution.
- 3.6 Hazing in state educational institutions is prohibited by state law (Section 4.19, Chapter 4, Title I, Texas Education Code). Hazing with or without the consent of a student is prohibited by the System, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline.
- 3.7 Initiations by organizations may include no feature which is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders the organization subject to discipline.
- 3.8 Any student who 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.
- 3.9 Any student who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, or on any real property over which the System has possession and control, shall be subject to discipline, including expulsion. As used in this Subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.

- 3.(10) The Dean of Students shall have primary authority and responsibility for the administration of student discipline at each institution. It shall be the Dean's duty to investigate allegations that a student has violated the Regents' Rules and Regulations, the rules and regulations of the institution, or specific orders and instructions issued by an administrative official of the institution in the course of his or her duties.
- 3.(10)1 If the Dean of Students determines that such allegations are not unfounded, the Dean shall prepare a written statement of charges, a statement of the evidence supporting such charges, including a list of witnesses and brief summary of the testimony to be given by each, and shall send such charges and statement to the accused student by certified mail, return receipt requested, addressed to the address appearing in the registrar's records.
- 3.(10)2 In any case where the accused student does not dispute the facts upon which the charges are based and executes a written waiver of the hearing procedures specified in Subsection 3.(11), the Dean of Students shall assess a penalty pursuant to Subsection 3.(13) that is appropriate to the charges and inform the student of such action in writing. The 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 3.22 of this Section. Except in cases involving the assessment of the minimum penalty prescribed in Subdivision 3.22 of this Section, the decision of the Dean of Students on penalty may be appealed as in the case of a decision rendered subsequent to a hearing in accordance with Subsection 3.(11). The appeal is limited to the issue of penalty and no transcript will be required.
- 3.(11) In those cases in which the accused student disputes the facts upon which the charges are based, such

charges shall be heard and determined by a fair and impartial person, hereinafter called the Hearing Officer, selected in accordance with procedures adopted by the institution. Except in those cases where immediate interim disciplinary action has been taken under authority of Subsection 3.(18), the accused student shall be given at least ten (10) days' notice of the date, time, and place for such hearing and the name of the Hearing Officer.

Hearings held under Subsection 3.(18) will be held under the same procedures set forth below, but will be held as soon as practicable within ten (10) days after the disciplinary action has been taken. Upon a hearing of the charges, the institutional representative has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of the credible evidence. The hearing shall be conducted in accordance with procedures adopted by the institution and that assure both parties (institutional representative and the accused student) the following minimal rights:

- 3.(11)1 Both parties will exchange lists of witnesses and copies of documents to be introduced at a reasonable time prior to the hearing.
  - 3.(11)2 Each party shall have the right to appear and present evidence in person or through a designated representative or counsel of choice.
  - 3.(11)3 Each party, or his/her designated representative or counsel, shall have the right to cross-examine witnesses.
  - 3.(11)4 The hearing will be recorded. If either party desires to appeal the finding, the record will be transcribed and both parties will be furnished a copy of the transcript.
- 3.(12) The accused student may challenge the impartiality of the Hearing Officer at any time prior to the introduction of any evidence. The Hearing Officer shall be the sole judge of whether he or she can serve with fairness and objectivity. In the event the Hearing Officer disqualifies himself/herself, a substitute will be chosen in accordance with procedures adopted by the institution.
- 3.(13) (a) The Hearing Officer shall render and send to both parties a written decision which shall contain findings of facts and conclusions as to the guilt or innocence of the accused student and shall assess a penalty or penalties in accordance with the published disciplinary penalties of the institution or in accordance with the following prescribed penalties:

- 3. (13) 1 Disciplinary probation.
- 3. (13) 2 Withholding of grades, official transcript or degree.
- 3. (13) 3 Bar against readmission.
- 3. (13) 4 Restitution or reimbursement for damage to or misappropriation of institutional property.
- 3. (13) 5 Suspension of rights and privileges, including participation in athletic or extracurricular activities.
- 3. (13) 6 Failing grade.
- 3. (13) 7 Denial of degree.
- 3. (13) 8 Suspension from the institution for a period of time not to exceed one calendar year.
- 3. (13) 9 Expulsion from the institution for a specific period of time not less than one year. Expulsion may be permanent.
- 3. (13) 10 Revocation of degree and withdrawal of diploma.
- 3. (13) 11 Other penalty as deemed appropriate under the circumstances.

(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 of suspension for one calendar year 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 of the law occurs on the campus of a component institution or in connection with a component institution-oriented activity, institutional penalties may be imposed regardless of whether penalties have been imposed by civil authority for the same offense.
- 3.(17) Since the value of an academic degree depends on the absolute integrity of the work done by the student for that degree, it is imperative that a student maintain a high standard of individual honor in his/her scholastic work. Scholastic dishonesty is the submission as one's own work of material that is not one's own. As a general rule, it involves one of the following acts: cheating, plagiarism, and/or collusion. Each component institution will adopt detailed regulations concerning scholastic dishonesty.
- 3.(18) The Dean of Students or the chief administrative officer of the institution may take immediate interim disciplinary action, including suspension pending a hearing, against a student for violation of a rule and regulation of the System or of the institution at which the accused is a student when the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the academic process. The Dean may authorize interim withholding of the student's grades, degree or official transcript when such withholding would be in the best interest of the institution.
- 3.(19) Each component institution shall maintain for every student who has been charged with dishonesty or other serious misconduct at such institution, a permanent written disciplinary record that shall reflect the nature of the charge, the disposition of the charge, the penalty assessed, if any, and any

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

- 3.(20) Every student is expected to obey all federal, state, and local laws and is expected to familiarize himself/herself with the requirements of such laws. Any student who engages in conduct that violates any provision of those laws is subject to disciplinary action, including expulsion, notwithstanding any action taken by civil authorities or agencies charged with the enforcement of criminal laws on account of the violation. If disciplinary action is taken, the Dean of Students shall proceed with action in the same manner as in the case of a violation of any other provision of these Rules and Regulations or a provision of any institutional rule.

- 3.(21) Pursuant to the authority conferred upon the Board of the System by Sections 51.202 and 51.204, Texas Education Code, and in order to protect the safety and welfare of students and employees of the component institutions of the System and to protect the property of the System, it is hereby declared that it shall be unlawful for any person to enter, walk, run, lie, play, remain, or be in the water of any fountain or other artificial body of water located on the campus of any component institution of the System unless such person shall have theretofore been granted permission by the administrative head of that institution to enter, remain, or be in such water.

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

It shall also be unlawful for any person to damage, deface, or remove any portion of any fountain, monument, or memorial located on the campus of any component institution of the System.

Any person who violates any portion of this regulation shall upon conviction thereof be punished by a fine of not more than \$200.

Any student of a component institution who violates any portion of this regulation shall, in addition to the penalty prescribed in the last preceding Section, be subject to discipline, including expulsion, by the institution.

Sec. 4. Student Organizations.

- 4.1 An organization in which membership is limited to students (recognizing that faculty and staff may also be members) of a component institution may become a registered student organization at that institution by complying with the registration procedures established by the Dean of Students.
- 4.2 The Dean of Students, with the approval of the chief administrative officer may establish regulations requiring faculty or staff advisers for registered student organizations.
- 4.3 A registered student organization may state that its membership is composed of students, or of students, faculty, and/or staff, of a component institution, but it shall not suggest or imply that it is acting with the authority or as an agency of that institution. A student organization shall not use the name of a component institution or the name of The University of Texas System as a part of the name of the organization, and it shall neither display the seal of either a component institution or The

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 Dean of Students, with the approval of the chief administrative officer, may issue regulations governing the eligibility of students for participation in organized activities.
- 4.5 At each component institution, an appropriate committee or committees shall have initial jurisdiction over all 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 administrative head 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 Section 6.5 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 an affidavit stating 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 affidavit, or if, after such reasonable investigation as the chief administrative officer shall deem appropriate (which investigation shall afford the accused registered organization or group every right guaranteed to it by the due process clauses of the United States and Texas Constitutions), the chief administrative officer shall during the semester find that the affidavit is or has become false, and that the organization or group does, in fact, have as a member a person who is not either a student or a member of the faculty or staff of the institution, the chief administrative officer shall immediately cancel the registered status of the organization or group and shall deny to the organization or group any and all privileges

to which it would otherwise be entitled as a registered student organization or group.  
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 chief administrative officer pursuant to Subsection 6.13 of Section 6 of this chapter or Subsection 4.73 of Section 4 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 Laws Approved.--The constitutions and laws 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 Laws.-- An amendment to the constitution or laws 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 Dean of Students, the chief administrative officer, and the office of the Chancellor and approved by the Board.

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- 5.13 Amendment or Repeal by Regents.--The Board shall amend or repeal any portion of the constitution and laws 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 Dean of Students.--The Dean of Students 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 laws of the particular association, but such action shall be in force only until the next meeting of the Board when Section 5.13, above, shall become applicable.
- 5.15 Salaried Employees Approved by Regents.--All persons officially employed on salary by or under the direct supervision of a students' association shall be subject to approval by the Dean of Students, the chief administrative officer, ~~the~~ Chancellor, and the Board, both as to salary and as to qualifications.
- 5.16 Annual Financial Reports.--Every officially recognized students' association shall make annually a complete financial report to the institutional 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 Dean of Students. Committees and administrative units of a students' association maintaining a budget in excess of \$25.00 per annum shall make such interim reports of financial condition as may be required by the Dean of Students.

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- 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 Dean of Students, the chief

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administrative officer, and the ~~officer~~  
~~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 Dean of Students.
- 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 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 Subchapter E, 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.

No individual, organization, group, association, or corporation may use the grounds, buildings, or facilities of any component institution of The University of Texas System except as permitted by the provisions of the Rules and Regulations of the Board of Regents and the rules and regulations of the component institutions approved in accordance with such Regents' Rules and Regulations.

6.11 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 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.

6.12 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:

(1) The sale or offer for sale of any newspaper, magazine, or other publications by means of a 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 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.

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(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 Office of the Chancellor, as to form by the Office of General Counsel, and by the Board of Regents through the Docket) of the Office of the Chancellor) of 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 U. T. System administration; and staff members of organizations closely related to the institution's educational mission such as ex-student organizations and cooperative bookstores), unmanned teller machines (any agreement for the placement of which must include a provision expressly prohibiting advertising the location of the unmanned teller machine to the general public), 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, a recognized faculty group, or a registered student organization, and are scheduled in accordance with the facilities use regulations of the component institution.

(9) The activities of 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 26 U.S.C.A. 501(c)(3) (Internal Revenue Code). No organization may solicit under Subdivision (9) of this Subsection 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 is included in the activity permitted by this exception.

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 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 chief administrative officer 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 chief administrative officer determines that a solicitation is being conducted in a manner violative of this Subsection, the chief administrative officer 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 chief administrative officer may cancel the registered status of the offending organization.

- (2) The students' association and each registered student organization shall, within 30 days following the end of each academic semester or summer session, file with the chief administrative officer or his or her delegate a sworn statement fully and fairly disclosing the sources and amounts of money which it obtained from solicitations (sales and contributions) 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 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.--Registered student, faculty or staff organizations 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 may not use the institution's buildings and/or grounds. Registered student, faculty or staff organizations 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 peacefully demonstrate on the campus. Such regulations shall prohibit any activity that would interfere with academic and institutional programs.
- 6.16 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, vulgar, or libelous, or that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
- 6.17 No person, whether or not a student or employee of a component institution, shall post or carry any sign or poster that is obscene, vulgar, or libelous, or that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

- 6.18 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 is obscene, vulgar, or libelous, or that is directed to inciting or producing imminent lawless action and is 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.
- 6.2 The use of student center or student union facilities on the campus of each component institution shall be subject to reasonable and nondiscriminatory regulations as may be promulgated by that center's governing board and approved by the Dean of Students and the chief administrative officer.
- 6.3 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 program and shall not result in damage to or defacement of property.
- 6.4 Identification Required.  
(a) Pursuant to the authority conferred upon the Board of the System by Chapter 80, Acts of the 60th Legislature, Regular Session, 1967 (Section 51.209, Texas Education Code), and in order to protect the safety and welfare of students and employees of the component institutions of the System, and to protect the property of the System, it is hereby declared that it shall be unlawful for any person 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 the System or the Executive Secretary to the Board;

(2) ~~any Executive or Chief Operating Officer of the System~~, the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, ~~the~~ the Executive Vice Chancellor for Asset Management), ~~any Administrative Officer of the System~~ <sup>VC for Business Affairs</sup> ~~(the Executive Director for Finance and Administration~~, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, ~~the Executive Director [Office of the Chancellor]~~, ~~and~~ the Director of Development), ~~and the following additional officers~~, the Manager of University Lands - Oil, Gas, and Mineral Interests, the Manager of University Lands - Surface Interests, ~~the Executive Director for Investments and Assets~~, the Budget Director, the Comptroller, the Director of Accounting, the Director of Facilities Planning and Construction, the System Personnel Director, the Director of Police, ~~and~~ ~~the Director of Public Information.~~

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(3) any administrative officer of the component institution, including the chief administrative officer, any assistant to the chief administrative officer, any vice president, any 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 fully 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 who refuses to identify himself or herself fully in accordance with Subsection (a) is, in addition to the penalty prescribed in Subsection (c), subject to discipline, including expulsion, by the institution.
- 6.5 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 mean any component institution.
- 6.51 The System will not permit the unrestricted use by non-System groups of any of its facilities.
  - 6.52 The System will not enter into joint sponsorship of any project or program that is to result in private gain for the cooperating individuals, group or associations.
  - 6.53 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.
  - 6.54 Whenever non-System groups share in the use of System buildings, it must be upon the invitation of the System and under its joint sponsorship, and with the further understanding that all the conditions governing such sponsorship are to be set by the System.

- 6.55 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.
- 6.56 The System will not enter into joint sponsorship of any program or activity in which the educational implications are not self-evident and which does not directly supplement the educational purposes of the System.
- 6.57 It shall be understood that the availability of the System's facilities for functions other than the institution's own activities is strictly subject to the needs and the convenience of the System, which are always to have priority in the scheduling of facilities.
- 6.58 In the case of programs for which the System is a joint sponsor with some other 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.

6.6 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:

- 6.61 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.

- 6.62 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.
- 6.63 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.
- 6.64 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 6.63, 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 Title 26 of the United States Code [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.

6.65 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 Freedom of inquiry and discussion are basic and essential to intellectual development. However, these freedoms must be exercised in a manner that does not intrude upon or interfere with the academic programs and administrative processes of the System. Each component institution may designate one or more appropriate "free speech" areas on the campus where students may assemble and engage in free speech activities without prior administrative approval. In the absence of the designation of such "free speech" areas, 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

designated "free speech" areas or in accordance with the provisions of Section 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 the Texas Civil Statutes.
- 7.24 Registered student organizations, faculty or staff organizations, University-owned dormitories, and Student Government may be permitted the use of System-owned facilities to present off-campus speakers on campus pursuant to the facilities' use regulations promulgated by the component institution and subject to the requirement that each component institution must submit to the ~~Office of the Chancellor~~ for approval as a part of its Institutional Handbook of Operating Procedures a copy of all applicable facilities' use regulations, and no facilities' use regulations shall have any force or effect until it has been approved by the ~~Office of the Chancellor~~ and the Office of the General Counsel.
- 7.25 An application for the use of any System-owned facility must be made to the chief administrative officer, or his or her delegate, at least forty-eight hours before

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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/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 Office of the Chancellor,~~ <sup>SYSTEM ADMINISTRATION</sup> 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 Office of the Chancellor,~~ <sup>SYSTEM ADMINISTRATION</sup> 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 the Rules and Regulations of the Board ~~of the Board~~ <sup>of REGENTS</sup>

Fellowships, Scholarships, and Loan Funds - Part Two, Chapter I, Sec. 3.

Tuition and Other Fees - Part Two, Chapter I, Sec. 5.

Policy Against Discrimination - Part Two, Chapter I, Sec. 7.

Auxiliary Enterprises - Part Two, Chapter X, Sec. 1-7.

Part Two, Chapters I and X of

Student Publications at The University of Texas at Austin -  
Part Two, Chapter X, Sec. 8.

The Texas Union at The University of Texas at Austin - Part  
Two, Chapter X, Sec. 9.

Employment of a Students Attorney - Part Two, Chapter X,  
Sec. 11.

## CHAPTER VII

### THE SYSTEM PRIVATE-FUND DEVELOPMENT AND FOUNDATIONS

#### Sec. 1. The System Private-Fund Development.

##### 1.1 Responsibilities of the Board and Administrative Officials of the System in Private-Fund Development.

1.11 Among the most important responsibilities of the Board are those of establishing policies and procedures by which the developmental needs of the System and its component institutions can be determined and of directing vigorous efforts to attract private-fund support for meeting these needs.

1.12 The Chancellor is to serve as the Chief Executive Officer for Fund Development and as the agent of the Board for the discharge of development responsibilities. The Chancellor shall define for the Board, at periodic intervals, descriptions of current and future needs, as determined by the chief administrative officers and System administration, taking into account such needs as each component institution development board may have recommended.

#### Sec. 2. The Development Board of a Component Institution for Private-Fund Development.

2.1 With the approval of the chief administrative officer, ~~the~~ ~~officer~~ Chancellor, and the Board of Regents, any component institution may have a development board dedicated to its own unique interests. Such a development board is the agency responsible through the chief administrative officer to the Chancellor, and through him to the Board of Regents, for all private-fund development for that component institution. Each component institution development board shall determine its development needs and shall direct the formulation of plans and the promotion of support for its programs.

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2.2 Responsibilities and duties of the component institution development boards:

2.21 The component institution development board is the agency responsible to the chief administrative officer of each institution for all private-fund development for that institution.

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2.22 The component institution development board shall recommend through the chief administrative officer, and the ~~officer of the~~ Chancellor to the Board of Regents the approval of current and long-range policies which shall govern activities and responsibilities in cultivating and securing private funds for the institution.

2.23 The component institution development board shall have responsibility:

2.231 For studying and developing total development needs of the component institution.

2.232 For coordinating and formulating plans and actively promoting support for both current and long-range programs to meet the developmental needs of the component institution.

2.233 For developing gift possibilities not related to predetermined projects.

2.234 For periodic reports of progress to the chief administrative officer and the Chancellor on the plans and programs of the component institution development board. It is expected that a continuing program of the component institution will include collection and dissemination of information regarding gifts and endowments.

2.235 At periodic intervals, the chief administrative officer shall lay before his development board descriptions of current development needs.

2.3 Composition and Operation of the Component Institution Development Board.--The component institution development board shall consist of members recommended and appointed by the chief administrative officer of each component institution with prior specific written approval of the ~~Office~~ *appropriate EVC and The* ~~Office~~ *Chancellor* and the Board of Regents. Initial appointments to the component institution development board shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointment of the board will be for a three-year term. All terms shall officially begin on September 1. At least one member shall be nominated by the ex-students' association of that institution. The chief administrative officer and the Chancellor (or his delegate) shall be ex officio members with voting privileges. The component institution development board will elect a Chairman and such other officers as are appropriate from among its membership.

2.4 General Policies of the Component Institution Development Boards:

- 2.41 A component institution development board shall seek to enlist the aid of numerous friends of the institution in fund-development efforts, and may establish such committees and other groups as seem desirable in carrying out its program.
- 2.42 A component institution development board shall serve the individual component institution of the System to coordinate and assist in the plans and programs of that component institution with consideration of development interests of all component institutions in the System.
- 2.43 A component institution development board will work closely with the internal foundations of the component institutions. No internal foundations shall be established or continued in existence except with the

^ See page VII-3

approval of the ~~Office of the~~ Chancellor and the Board of Regents. The chief administrative officer of each component institution shall be responsible for stimulating, guiding, and assisting the component institution development board and internal foundations of the component institution he heads and he may require suitable annual reports from each. All such activities shall be coordinated through the office of the chief administrative officer and the director of the component institution development board.

2.44 From time to time, special campaigns for specific objectives may be conducted, with or without the assistance of private fund-raising counsel. Such campaigns may originate upon recommendation by the Board of Regents, the Chancellor, the chief administrative officer with the concurrence of the Chancellor, or the component institution development boards. No such campaign shall be authorized or undertaken, however, until the Chancellor has advised the Board of Regents of his approval or disapproval and the campaign has been approved by the Board of Regents.

2.45 Notwithstanding the provisions hereof conferring authority upon and placing responsibility with the Chancellor for fund development and fund raising, it is understood that ex-students' associations of the System component institutions may engage in fund raising for their own support through dues and payments for memberships, both annual and life. However, it is expected that no such ex-students' association will sponsor or participate in any other organized fund-raising effort without first consulting and advising with the chief administrative officer and the Chancellor, and then receiving the approval of the Board of Regents.

2.5 Executive Office of a Component Institution Development Board:

see page VII - 3

2.51 Within the office of the chief administrative officer there may be appointed by the chief administrative officer, with the approval of the ~~Office of the~~ Chancellor, an executive director of the component institution development board. He is to be charged solely with fund-development activity, and subject to supervision, evaluation, and termination of employment by the chief administrative officer.

see page VII - 3

2.52 The executive director of the component institution development board shall have such staff and such operating funds as shall be determined from time to time by budgets recommended by the chief administrative officer, endorsed by the ~~Office of the~~ Chancellor, and adopted by the Board of Regents. Duties of staff members shall be established by the executive director.

2.6 Finances.--Financial support of the component institution development board and the executive director shall be provided exclusively by the budget of the institution. Such budgets will be made through established budgetary procedures. The Board of Regents may accept gifts designated for use by the component institution development board and may make such funds available for expenditure by said board.

2.7 Under the provisions of Section 4 of this Chapter a component institution development board may, but need not, have an associated internal foundation.

Sec. 3. The Advisory Councils of a Component Institution.

3.1 Establishment and Organization:

see page VII - 3

3.11 With the approval of the chief administrative officer of a component institution, the ~~Office of the~~ Chancellor, and the Board of Regents, any school, college, or other comparable teaching or research unit may have an advisory council dedicated to its own unique interests. Such

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

- 3.12 An advisory council shall consist of members recommended by the dean or director of the school, college, or other approved unit and appointed by the chief administrative officer of the component institution with prior specific written approval of the <sup>A</sup> ~~Chancellor~~ Chancellor and the Board of Regents. Initial appointments to any advisory council shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointment of the board will be for a three-year term. All terms shall officially begin on September 1.

see page VII - 3

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

3.2 Duties and Responsibilities:

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

administrative officer to the development board the consideration of current and long-range programs which shall secure private funds for the unit.

- 3.23 A component institution advisory council shall have responsibility within that school, college or comparable unit:
  - 3.231 for studying and developing private fund needs;
  - 3.232 for coordinating and formulating plans and actively promoting support for both current and long-range programs to meet the developmental needs;
  - 3.233 for periodic reports of progress to the chief administrative officer of the component institution and the development board on the plans and programs of the advisory council; and
  - 3.234 for establishing a continuing program of collection and dissemination of information regarding gifts and endowments.
- 3.24 At periodic intervals, the dean or director shall lay before his advisory council descriptions of current development needs.
- 3.25 The work of all advisory councils shall be considered a part of the work of component institution development boards.

- 3.3 Under the provisions of Section 4 of this Chapter, an advisory council may, but need not, have an associated internal foundation.

Sec. 4. Internal Foundations.

- 4.1 Definition.--As used in this Chapter, the term "internal foundation" means a foundation created by resolution of the Board of Regents of The University of Texas System as set forth in Subsection 4.31. The term does not include any entity that is

incorporated under the laws of Texas or any other state and does not include any entity created by testamentary or inter vivos trusts. An internal foundation is an accounting and administrative mechanism in the name of which development boards and advisory councils may approach prospective donors. Internal foundations are under the jurisdiction and control of the Board of Regents and are governed by rules, regulations, policies and procedures promulgated by the Board.

4.2 Policies on Initiation and Operation.

4.21 An internal foundation may be established to benefit a component institution, or a school, college or other comparable teaching or research unit within a component institution upon the recommendation of a development board or an advisory council, after approval of the chief administrative officer of the component institution, the ~~office of the Chancellor~~, and the Board of Regents.

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4.22 Divisions and departments below the level of a school, college, or other comparable teaching or research unit may effectively work as separate groups within the framework of the advisory council and internal foundation which represents a school or college or comparable teaching or research unit. Provisions for the designation of special funds to be used for specific activities within the framework of the various internal foundations and advisory councils will be made in order to avoid stifling the interest and initiative of these groups.

4.23 There shall be an annual review of the activities of each internal foundation to determine its effectiveness; and, if it is unproductive for an unreasonable length of time, it shall be dissolved.

4.24 Every effort shall be made to permit a free range of initiative within the internal foundations, and their associated development boards and advisory councils, but activities must be in conformity with

policies of the Board of Regents so as to permit maximum overall achievements in fund raising throughout the System.

4.25 All internal foundation funds shall be appropriately accounted for in University endowment and restricted fund accounts. As in the case of other University funds, authorization for expenditure of all funds in internal foundation accounts is vested in the Board of Regents. Except for those funds to be spent in accordance with the terms of Regental acceptance, authorization for expenditure normally will be obtained during the annual institutional budget approval process.

4.3 Establishment.

4.31 Standard Resolution. From and after October 24, 1980, the Board of Regents of The University of Texas System adopts the following standard resolution form with regard to the establishment and operation of internal foundations:

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

WHEREAS, there exists a clear and specific need for means to finance the program of ((name of school, college, or other component unit)) of The University of Texas ((name of component)), in addition to the regular budgetary provisions, and

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

IT IS NOW RESOLVED, that the Board of Regents of The University of Texas System hereby establishes, the ((name)) Foundation of the ((name of school, college, or other component unit)) of The University of Texas ((name of component)).

AND FURTHER, that the purpose of the said Foundation shall be to foster the understanding and development of the programs of the ((name of school, college, or other component unit)) at The University of Texas ((name of component)), and to encourage the making of gifts to the Foundation by deed, grant, will or otherwise for any purpose appropriate to the work of the Foundation.

1. The funds of the Foundation shall be devoted solely to the enrichment of the academic programs of the ((name of school, college, or other component unit))) of The University of Texas ((name of component))) and shall not be used for the ordinary operating expenses of the ((name of school, college, or other component unit))).

2. A donation to the Foundation may be made for a specific purpose and may be given in the name of the donor or other designation specified by the donor or may be given as unrestricted funds.

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

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

5. As in the case of other University funds, authorization for expenditure of all funds from the Foundation shall be vested in the Board of Regents and recommendations for such expenditures shall be made by the ((appropriate title of chief administrative officer))) to the ~~Office of the~~ Chancellor and by the ~~Office of the~~ Chancellor to the Board of Regents of The University of Texas System.

4.32 Upon Regental approval of the standard resolution creating an internal foundation, the name of the foundation will be added to the list contained in Section 4.33 of this Chapter. The Executive Secretary to the Board of Regents shall prepare a copy of the standard resolution in appropriate form for the Chairman's signature and shall distribute a copy to the ~~Office of the~~ Chancellor and to the chief administrative officer of the component institution involved.

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4.33 The following internal foundations are approved:

<u>Foundation</u>	<u>Date Established</u>
The University of Texas at Austin	
John Charles Townes Foundation (School of Law) <sup>1</sup>	6/27/42
Pharmaceutical Foundation of the College of Pharmacy	12/10/52
Fine Arts Foundation of the College of Fine Arts	12/1/50
Architectural Foundation of the School of Architecture	5/30/52
Genetics Foundation of the Zoology Department	3/28/52
College of Business Administration Foundation	5/29/53
The Psychological Research Foundation	5/29/53
Geology Foundation of the Depart- ment of Geology	10/24/53
Engineering Foundation of the College of Engineering	3/11/55
College of Education Foundation <sup>2</sup>	12/12/76
Social Work Foundation of the School of Social Work	10/1/66
Communication Foundation of the School of Communication <sup>3</sup>	1/31/69
Graduate School Foundation	3/26/76

<sup>1</sup>Authorization to establish by order of the Board of Regents on July 9, 1941; Resolution of Operation adopted June 27, 1942; Resolution amended October 13, 1983

<sup>2</sup>Formerly Teacher Education Foundation - 9/22/56

<sup>3</sup>Formerly the Journalism Foundation of the School of Journalism established 1/10/59

Graduate School of Library Science Foundation	6/20/69
College of Liberal Arts Foundation	7/11/80
College of Natural Sciences Foundation	7/11/80
Nursing Foundation of the School of Nursing	10/9/87
Longhorn Foundation	12/3/87
Longhorn Associates for Excellence in Women's Athletics Foundation	12/3/87
The University of Texas System Cancer Center	
University Cancer Foundation	10/15/55
The University of Texas at Arlington Foundation	1/28/67
The University of Texas Medical Branch at Galveston Foundation	5/6/67
The University of Texas at El Paso Foundation	7/29/67

Sec. 5. Trust Foundations.

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

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

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

Sec. 6. Internal Corporations.

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

<u>Internal Corporations</u>	<u>Date Chartered</u>
Houston Health Science Center Foundation, Inc.	4/27/70
The Aerospace Heritage Foundation, Inc.	9/7/78
Ima Hogg Foundation, Inc.	6/26/64
The University of Texas System Medical Foundation, Inc.	10/5/73
The University of Texas at Austin School of Law Continuing Legal Education, Inc.	8/17/81
The University of Texas at Austin School of Law Publications, Inc.	8/17/81

Sec. 7. External Nonprofit Corporations.

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

Sec. 8. Conflict of Interest, Performance of Services, and Use of University Facilities.

- 8.1 Unless specifically authorized by law, no officer or employee of The University of Texas System or its component institutions shall accept remunerations from or serve as an officer, director, employee, or agent of an external non-profit corporation or an external entity that has as its primary objective the provision of funds or services for the furtherance of the purposes and duties of the System or its components.
- 8.2 No officer or employee of The University of Texas System or its component institutions shall act as the agent for any corporation, association, organization, partnership, or individual in the negotiation of the terms or conditions of any agreement relating to the provision of funds, services, or property to the System or its components by such corporation, association, organization, partnership, or individual.

8.3 The utilization of equipment, facilities or services of employees and officers of The University of Texas System or its component institutions by an external non-profit corporation or external entity that has as its primary objective the provision of funds or services for the furtherance of the purposes and duties of the System or its components shall be permitted only in accordance with a negotiated agreement that provides for the payment of adequate compensation for such equipment, facilities or services.

CHAPTER VIII

MISCELLANEOUS

Sec. 1. Naming of Buildings and Other Facilities.

1.1 Naming of Buildings.--Buildings of the System and its component institutions shall not be named in honor of any person until such person shall have been deceased at least five years. Recommendation to the Board of Regents regarding naming of buildings by the ~~officer~~ Chancellor and chief administrative officer shall be accompanied by reasons including appropriate input from the institutional faculty; provided, however, that the Board may act without receiving such recommendation when unusual circumstances justify such action and particularly when a substantial donation has been made toward the construction of the building to be named.

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1.2 Naming of Facilities Other than Buildings.--Facilities other than buildings (e.g. laboratories, classrooms, seminar rooms, auditoria, concert halls, clinics, and patient rooms) may be named to memorialize and otherwise recognize substantial and significant donors, individuals designated by donors, or individuals who have made other significant contributions to the institution. Recommendations by the ~~officer~~ Chancellor and the chief administrative officer regarding the naming of such facilities shall be submitted to the Board of Regents for approval.

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1.3 Naming of Facilities as Part of Special Private-Fund Development Campaigns.--When the naming of facilities other than buildings is contemplated as a part of a special private-fund development campaign, that campaign shall have prior approval of the ~~officer~~ Chancellor and the Board as required in Part One, Chapter VII, Subsection 2.44 of the Regents' Rules and Regulations. Recommendations by

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^ the ~~office of the~~ Chancellor and chief administrative officer regarding the naming of each facility included in a fund development campaign shall subsequently be submitted to the Board of Regents for approval.

- Sec. 2. Flags at Half Mast.--Flags at any of the component institutions of the System shall be placed at half mast on the death of a Regent, the death of a member of the teaching or nonteaching staff, the death of a student in residence at the institution, or at such other times as may be deemed appropriate by the chief administrative officer.
- Sec. 3. Medical and Hospital Services.--No health care services shall be provided by any component institution of the System to any person without compensation or reimbursement to the System, except that in the case of health care facilities operated by the System, which under the law are open to the general public, free or partly free health care services may be rendered to persons who are indigent and who are able to offer proof that they are not financially able to pay either all or any part of their health care expenses.

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

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

- 4.39 The University of Texas at U.T. Arlington  
Arlington Institute of Institute of  
Urban Studies Urban Studies
- 4.4 The University of Texas at Austin U.T. Austin
- 4.41 The University of Texas at  
Austin School of Archi-  
tecture
- 4.42 The University of Texas at  
Austin College of Liberal  
Arts
- 4.43 The University of Texas at  
Austin College of Natural  
Sciences
- 4.44 The University of Texas at  
Austin College of Business  
Administration
- 4.45 The University of Texas at  
Austin College of Commu-  
nication
- 4.46 The University of Texas at  
Austin College of Educa-  
tion
- 4.47 The University of Texas at  
Austin College of Engi-  
neering
- 4.48 The University of Texas at  
Austin College of Fine  
Arts
- 4.49 The University of Texas at  
Austin School of Law
- 4.4(10) The University of Texas at  
Austin Graduate School of  
Library and Information  
Science
- 4.4(11) The University of Texas at  
Austin School of Nursing
- 4.4(12) The University of Texas at  
Austin College of Pharmacy
- 4.4(13) The University of Texas at  
Austin Lyndon B. Johnson  
School of Public Affairs
- 4.4(14) The University of Texas at  
Austin School of Social  
Work

- 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 School of General Studies
  - 4.53 The University of Texas at Dallas School of Human Development
  - 4.54 The University of Texas at Dallas School of Management and Administration
  - 4.55 The University of Texas at Dallas School of Natural Sciences and Mathematics
  - 4.56 The University of Texas at Dallas School of Social Sciences
  - 4.57 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
  - 4.63 The University of Texas at El Paso College of Engineering
  - 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 of the Permian Basin U.T. Permian Basin
  - 4.71 The University of Texas of the Permian Basin College of Arts and Education
  - 4.72 The University of Texas of the Permian Basin College of Management
  - 4.73 The University of Texas of the Permian Basin College of Science and Engineering
  
- 4.8 The University of Texas at San Antonio U.T. San Antonio
  - 4.81 The University of Texas at San Antonio College of Business
  - 4.82 The University of Texas at San Antonio College of Fine Arts and Humanities
  - 4.83 The University of Texas at San Antonio College of Social and Behavioral Sciences
  - 4.84 The University of Texas at San Antonio College of Sciences and Mathematics
  - 4.85 The University of Texas at San Antonio Lutcher Center U.T. San Antonio - Lutcher Center
  
- 4.9 The University of Texas at Tyler U.T. Tyler
  - 4.91 The University of Texas at Tyler School of Business Administration
  - 4.92 The University of Texas at Tyler School of Education and Psychology

- 4.93 The University of Texas at  
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- 4.(11)1 The University of Texas  
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- 4.(11)2 The University of Texas  
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- 4.(11)3 The University of Texas  
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- 4.(12)3 The University of Texas  
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medical Insti-  
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- 4.(12)6 The University of Texas  
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Galveston

	4.(12)7 The University of Texas School of Nursing at Galveston	U.T. Nursing School - Galveston
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4.(14)5 The University of Texas  
School of Nursing at  
San Antonio

U.T. Nursing  
School - San  
Antonio

<del>4.(15) The University of Texas System Cancer Center</del>	<del>U.T. Cancer Center</del>
<del>4.(15)1 The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston</del>	<del>U.T. M. D. Anderson Hospital - Houston</del>
<del>4.(15)2 The University of Texas Science Park</del>	<del>U.T. Science Park</del>

4.(16) The University of Texas Health  
Center at Tyler

U.T. Health  
Center - Tyler

4.(17) The University of Texas System  
Bauer House

U.T. Bauer House

CHAPTER IX

ENACTMENT AND AMENDMENT

- Sec. 1. Repeal of Existing Rules in Conflict Herewith.--All rules, regulations, orders, and resolutions heretofore enacted by the Board which are in conflict with these Regents' Rules and Regulations are hereby repealed.
- Sec. 2. Format for Rules. *officers,*
- 2.1 The Regents' Rules and Regulations for the government of the System apply to and govern the Board and all employees and agencies ~~under its control, the Office of the Board of Regents, the Central Administration of The University of Texas System, and the component institutions comprising The University of Texas System.~~
- 2.2 These Regents' Rules and Regulations are organized in two parts. Part One shall, in general, contain all rules and regulations other than those of a fiscal nature. Part Two shall consist, in general, of the fiscal rules and regulations of the Board.
- Sec. 3. Official Copies.
- 3.1 The official copies of the Regents' Rules and Regulations and the Handbook of Operating Procedures for each component institution of the System shall be maintained on file in the Office of the Board of Regents.
- 3.2 Copies of these Regents' Rules and Regulations and of the Handbooks of Operating Procedures shall be furnished to members of the Board and such other persons and offices as the Board shall designate.
- Sec. 4. Amendment of Rules and Regulations.--The Regents' Rules and Regulations may be added to, amended, waived, or suspended by a majority of all of the members of the Board at any regular meeting or at any special meeting called for that purpose.

Sec. 5. Distribution of Amendments.--After any change in these Regents' Rules and Regulations, the Executive Secretary to the Board shall conform the Official Copies and shall send corrected pages containing such changes for substitution in copies in the possession of members of the Board, administrative officers, or others on an official list in the Office of the Board of Regents.

*First draft with edits.  
6/14/88  
as prepared by K. Page*

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

## Explanatory Statement

The Rules and Regulations contained in Parts One and Two are those which are adopted by the Board of Regents and which apply generally to the entire University of Texas System. They are to be known as the Regents' Rules and Regulations to distinguish them from each component institution's rules and regulations which are promulgated by the chief administrative officers of the component institutions and entitled Handbook of Operating Procedures for (name of institution).

These Rules and Regulations are published in loose-leaf form to facilitate their being kept current. "Official Copies" of the Regents' Rules and Regulations are designated by the "Official Copy" imprinted in red in the upper right corner of each page. Each page is also marked with the date of its issuance by the Office of the Board of Regents. Subsequent amendment pages will be issued by the Office of the Board of Regents to those authorized to have "Official Copies" and will be dated to coincide with the Regental approval of the amendment contained on that page.

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(iii) is this line 62.?

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CHAPTER I  
BOARD OF REGENTS

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capital "S" or  
lower case -*

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.; cer. den., 361 U.S. 889, 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.

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.

*insert from top of next page. I don't think that sentence is to be a separate paragraph per draft -*

In no event shall a Board member serve as Chairman for more than 24 consecutive months without submitting his or her resignation as Chairman, but such member shall be eligible for re-election as Chairman.

- 3.2 Duties of the Chairman.--The duties and responsibilities of the Chairman shall include the following:
- 3.21 The Chairman shall preside over the meetings of the Board.
  - 3.22 The Chairman shall be authorized to call special meetings of the Board, as herein provided.
  - 3.23 Except for the Executive Committee, which shall be composed of the Chairman and the two Vice-Chairmen, the Chairman shall appoint the standing and special committees of the Board.
  - 3.24 The Chairman shall be an ex officio member of all committees of the Board.

Sec. 4. Vice-Chairmen of the Board.--Two Vice-Chairmen of the Board shall be elected by the Board from its number when the Chairman is elected and shall serve at the pleasure of the Board. At the election, the Board shall designate which Vice-Chairman shall assume the duties of Chairman in case of the absence, death, resignation, disability, removal, or disqualification of the Chairman. In case of the absence, death, resignation, disability, removal, or disqualification of the Chairman, the designated Vice-Chairman shall perform the duties of the Chairman until the Chairman shall resume his or her office or a successor Chairman shall have been elected as herein provided. In case of the absence, death, resignation, disability, removal, or disqualification of both the Chairman and the designated Vice-Chairman, the other Vice-Chairman shall perform the duties of Chairman until the Chairman or designated Vice-Chairman shall resume his or her office or a successor Chairman shall have been elected as herein provided. Upon the death, resignation, disability, or removal of a Vice-Chairman, the Board shall elect a successor Vice-Chairman as soon as practicable.

Sec. 5. Officers in the Office of the Board of Regents.

- 5.1 Executive Secretary to the Board.--The Executive Secretary to the Board is the principal officer to the Board in the administration of the responsibilities of the Office of the Board of Regents and the principal staff officer to each member of the Board of Regents in the discharge of his or her responsibilities. In addition to the specific duties and responsibilities set forth in Section 5.3 of this Chapter, the Executive Secretary to the Board shall advise and counsel with the Board regarding the design and implementation of policies and procedures by which the Board of Regents may more effectively fulfill its responsibilities regarding the governance and management of The University of Texas System. ✓
- 5.2 Appointment.--At the meeting at which the Chairman and Vice-Chairmen of the Board are elected, the Board shall elect an Executive Secretary who is not a member of the Board and who shall receive such compensation and have such staff as may be fixed by the Board. The Executive Secretary shall report and be responsible to the Board. The Executive Secretary shall serve subject to the pleasure of the Board and may be removed by the Board at any time. Upon the death, resignation, disability, removal, or disqualification of the Executive Secretary, the Board shall elect a successor Executive Secretary as soon as practicable.
- 5.3 Duties and Functions.--The duties and functions of the Executive Secretary shall include the following:
- 5.31 The Executive Secretary shall supervise the Office of the Board of Regents.
- 5.32 Meetings.--The Executive Secretary shall make preparations, including regental travel arrangements, for all meetings of the Board and its committees.

- 5.33 The Agenda.--Under the direction of the Chairman of the Board or the Chairman of a standing committee, the Executive Secretary shall prepare and distribute the Agenda and necessary supporting documentation for all meetings of the Board and its committees.
- 5.34 Open Meetings Act.--Under the direction of the Chairman of the Board or the Chairman of a standing committee, the Executive Secretary shall post notices of all meetings, and the subject matter thereof as may be required under law.
- 5.35 Minutes.--The Executive Secretary shall record, prepare, and index the official Minutes of the Board and its committees and shall distribute copies thereof, including the annual budgets, to members of the Board and to other persons on the approved list. The official copy of the Minutes of the Board and its committees shall be kept in the Office of the Board of Regents, and certified excerpts from these Minutes shall be prepared by the Executive Secretary.
- 5.36 Documents.--The Executive Secretary shall keep on file in the Office of the Board of Regents all official documents, correspondence, and proceedings of the Board and its committees.
- 5.37 Seal.--The custody of the official seal of the System shall be with the Executive Secretary. The Executive Secretary shall affix such official seal to, and attest, all documents executed in the name of the Board and requiring attestation.
- 5.38 Rules and Regulations.--The Executive Secretary shall be charged with the responsibility of keeping current the Official Copies of the Regents' Rules and Regulations, and furnishing to members of ~~The~~ Board and the administrative officers on the approved list any changes or additions as soon as possible after the meeting at which they are finally adopted.

- 5.39 Reports.--As directed by the Board, the Executive Secretary shall:
- 5.391 define and establish routine reporting mechanisms, including;
    - 5.3911 determining the Board's information requirements;
    - 5.3912 structuring reporting procedures; and
    - 5.3913 gathering and summarizing reports and data for presentation to the Board on a routine basis; and
  - 5.392 prepare special reports, including;
    - 5.3921 requesting and gathering data from System Administration and component institutions;
    - 5.3922 conducting necessary analyses of data; and
    - 5.3923 summarizing facts and presenting reports for the Board's consideration.

5.3(10) Other Duties.--In addition, the Executive Secretary shall perform such functions and have such other duties and responsibilities as may be assigned to the Executive Secretary to the Board or as are usual and customary to the position of Executive Secretary and which assist the members of the Board in the discharge of their official duties.

5.4 Assistant Secretary to the Board.

- 5.41 The Assistant Secretary to the Board shall be appointed by the Executive Secretary to the Board with the concurrence of the Board of Regents and shall have such duties and responsibilities as shall be delegated by the Executive Secretary to the Board.
- 5.42 Upon the temporary absence of the Executive Secretary to the Board or upon the death, resignation, disability, or removal of the Executive Secretary to the Board, the Assistant Secretary to the Board will fulfill the duties of the Executive Secretary until such time as the Board shall elect a successor.

Sec. 6. Meetings of the Board and Standing Committees of the Board.

- 6.1 Regular Meetings of the Board.--Regular meetings of the Board shall be held at such times and places as the Board shall designate. Unless otherwise determined in advance by the Board, all regular meetings shall be held in Austin.
- 6.2 Special Meetings of the Board.--Special meetings of the Board shall be held upon the call of the Chairman, or upon the written request of three members of the Board. The Chairman shall cause written notification of the time, place, and purposes of any special meeting to be mailed to each member of the Board by the Executive Secretary at least three days before the time of the meeting.
- 6.3 Regular Meetings of Standing Committees.--Regular meetings of standing committees of the Board shall be held at such times and places as each standing committee shall designate. The Chairman of each standing committee shall coordinate the times and places of regular meetings through the Office of the Board of Regents in order to avoid conflicts due to overlap in membership. Unless otherwise determined in advance by the standing committee, all regular meetings shall be held in Austin.
- 6.4 Special Meetings of Standing Committees.--Special meetings of standing committees shall be held upon the call of the Chairman of the Committee, upon the call of the Chairman of the Board, or upon the written request of two members of the committee. The Chairman of the standing committee shall cause written notification of the time, place, and purposes of any special meeting to be mailed to each member of the Board by the Executive Secretary at least three days before the time of the meeting.
- 6.5 Official Business.--No business other than that placed on the Agenda and noticed as required by law shall be officially transacted at a meeting of the Board or its committees.

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
- PK*  
*✓*  
*2/2/54*

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 University System or any component thereof to operating expenditures in future fiscal years.

*should we change this to "U.T." (yes)*

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.

*OK as is*

7.157 Recommend to the Board all administrative funds and compensation for the ~~Chancellor and~~ System Administration and the rates of professional compensation.

*It appears from draft that this was to be omitted - please double check - limit "Chancellor and"*

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 appointments to professorships and chairs.

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based on 1/14/58  
amendment to  
Pa + 100, chapter I*

- 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.

- 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.
- 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.
  - 7.173 Consider and recommend to the Finance and Audit Committee the annual operating budgets of the health-related institutions, including rates of compensation.

- 7.174 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.
- 7.175 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 ~~the~~ 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

Some questions  
on Page I (10).

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7.17(11)

institutions and the acceptance, use, and allocation of such gifts and endowments including recommendations on appointments to professorships and chairs,

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.
- 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, ~~Finance and Administration~~, and General Counsel.

Yes

*Business Affairs?*

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

Sec. 8. Procedure.

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

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

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

- 8.24 Special Items:  
(a) System Administration officials  
(b) Chief administrative officers  
of the component institutions  
(c) Members of the Board  
8.25 Reports of special committees.  
8.26 Executive Session of the Board.

8.3 Open and Closed Meetings.--Meetings of the Board shall be open to the press and the public, unless otherwise determined by the Board, in accordance with law.

8.4 Matters to be Referred to Committees.--The Chairman of the Board in consultation with the Executive Secretary to the Board and appropriate committee chairmen shall make appropriate referrals to standing committees. On all matters for the consideration of the Board originating in the component institutions or System Administration, the Chancellor shall include a recommendation as to the standing committee to which the matter should be referred.<sup>7</sup> Insofar as it is practicable, all subjects and matters requiring Board action shall be referred to the appropriate standing committee for consideration and recommendation before action is taken thereon by the Board.

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8.5 Communications by and to the Board.

8.51 Members of the Board of Regents are to be permitted access to such personnel and information as in their individual judgments will enable them to fulfill their duties and responsibilities as Regents of The University of Texas System. It is the responsibility of each Regent to be knowledgeable in some detail regarding the operations, management, finances, and effectiveness of the academic, research, and public service programs of The University of Texas System, and members of the Board have the right and authority to inform themselves as to their duties, responsibilities and obligations in such

a manner as they may deem proper. The regular channel of communication from members of the Board to the faculty, staff and administration is through the Chancellor, the appropriate Executive Vice Chancellor and the chief administrative officer of the institution involved, and a copy of any communication sent by a Regent directly to any member of the faculty, staff or administration should be furnished to the Chancellor, the appropriate Executive Vice Chancellor and the chief administrative officer of the institution involved; however, individual Board members are not precluded when they deem it necessary and proper from direct participation and communication with the chief administrative officers, representatives, and personnel of The University of Texas System Administration and its component institutions, faculty members and other groups. All staff and faculty proposals that are to be acted upon by the Regents shall be presented to the System Administration in sufficient time to permit the appropriate officer to consider such proposals, make recommendations thereon to the Chancellor, and transmit them to the Executive Secretary to the Board no later than seventeen days prior to the next meeting of the Board, in order that the calendar, agenda, and supporting material may be prepared in time to mail to the members of the Board so they will receive it at least five days prior to the meeting. Except where emergency proposals are involved, all such proposals not submitted to the Executive Secretary within the time prescribed shall not be considered by the Board but shall automatically be deferred until the next meeting of the Board.

8.52 Except upon invitation of the Board, the Chairman of the Board, the Chancellor or the appropriate Executive Vice Chancellor, no person shall appear before the Board or

any committee thereof unless that person files with the Executive Secretary to the Board a written request for such appearance at least ten days before the date of such appearance and unless the Chairman of the Board, or a majority of the whole Board, shall approve the request; provided, however, that the chief administrative officer, or his or her delegate, and/or the president of the students' association, *or her* ~~or his~~ delegate, of any component institution, without prior notice or request but subject to such time limitation as may be prescribed by the Chairman or a majority of the Board (or by the chairman or a majority of the committee), may appear before the Board or any committee thereof whenever the matter under consideration by the Board or committee directly affects the component institution represented by such chief administrative officer and/or student president. Whenever time and other circumstances permit, the president of the students' association, or his or her delegate, of such component institution, shall consult with the chief administrative officer, or his or her delegate, of such institution regarding said "matter under consideration" prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board pursuant to the ten-day notice provision or without notice pursuant to the provisions of this paragraph shall provide a written statement of the substance of such person's presentation to the Board, and, insofar as possible, such written statement shall be delivered to the Executive Secretary to the Board in sufficient time for copies to be distributed to the Regents prior to the meeting.

8.53 All official material to be distributed to the Regents shall be transmitted through the Office of the Board. Copies of all official communications from administrative

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*of Regents.  
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perhaps not*

officers to the Regents shall be sent to the Executive Secretary. Communications from the Chancellor and Executive Vice Chancellors shall be exempt from this requirement but in such cases information copies shall be furnished to the Executive Secretary.

8.54

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

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*✓*

*Should this read  
"The Chancellor's Docket  
shall..."  
or as titled →  
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8.55

Except for communications from the Chancellor, the Executive Vice Chancellors and the Executive Secretary to the Board, all communications to the Board from members of the faculty and staff should be

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

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

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

Sec. 9. Executive Associate for Economic Affairs.

- 9.1 The Executive Associate for Economic Affairs is elected by the Board, serves at the pleasure of the Board, reports to and is responsible to the Board, and receives such compensation as may be fixed by the Board.
- 9.2 Duties.--The Executive Associate on a continuing basis conceives and develops long-range plans and studies with respect to the development and management of economic affairs of the component institutions, and upon request, consults and advises with the Board and the Executive Vice Chancellor for Asset Management regarding plans and studies and shall have such other duties and responsibilities as may be directed by the Board.

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

- 10.1 Except as may be otherwise provided in these Rules and Regulations or in the resolution or order of the Board with respect to the approval of a specific document or with respect to the approval of a program or project requiring the execution of one or more documents, the Chairman of the Board, the Designated Vice-Chairman of the Board, the Chancellor or his or her designee, or the appropriate Executive Vice Chancellor may sign on behalf of the Board:
- 10.11 all contracts, agreements, leases, conveyances, deeds, easements, rights-of-way, bonds, licenses, or permits and all amendments, extensions or renewals of same that have been approved, authorized or granted by the Board as an item on the Agenda of the Board at a regular or special meeting;
- 10.12 applications for permits or licenses to be issued to the Board or a component institution that have been approved or authorized by the Board;

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

## CHAPTER II

### ADMINISTRATION

#### Sec. 1. General Provisions.

##### 1.1 Administration.

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

##### 1.2 The University of Texas System.

The University of Texas System (herein sometimes called the "System") is composed of the System Administration and those institutions assigned by the Constitution or by the Legislature to be governed by the Board of Regents of The University of Texas System. The System Administration shall be based in Austin.

#### Sec. 2. Board's Exercise of Authority.

The Board of Regents exercises its powers and authorities in the governance of The University of Texas System through the System Administration, headed by the Chancellor.

#### Sec. 3. Chancellor.

The Chancellor is the chief executive officer of The University of Texas System. The Chancellor reports to and is responsible to the Board of Regents of The University of Texas System. The Chancellor has direct line responsibility for all aspects of the U. T. System's operations.

##### 3.1 Appointment and Tenure.

The Chancellor shall be elected by the affirmative vote of a majority of the Regents in office and shall hold office without fixed term, subject to the pleasure of the Board.

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

- 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.

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3.3 Audit.  
 The Chancellor, as chief executive officer of the System, is responsible for insuring the implementation of appropriate audit and postaudit procedures for the System and System Administration. Accordingly, with regard to his or her audit functions (see Section 7.32 of this Chapter), the Comptroller, in staff capacity, reports directly to the Chancellor.



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

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

4.1 Appointment and Tenure.

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

4.2 Duties and Responsibilities.

The Executive Vice Chancellor for Academic Affairs shall have as a prime responsibility the maintenance of high academic quality in the general academic components of the System. Through the chief administrative officers of the component institutions, he or she shall have responsibility for the budgets, academic planning and programs, facilities planning and construction, and personnel (both academic and nonacademic) of those components. In consultation with the Chancellor, the Executive Vice Chancellor for Academic Affairs shall prepare recommendations and supporting information on such matters for consideration by the appropriate standing committees of the Board and the Board of Regents.

Sec. 5. Executive Vice Chancellor for Health Affairs.

The Executive Vice Chancellor for Health Affairs has line responsibility for the conduct of health-related education and the delivery of health services in the System. The chief administrative officer of each health-related institution in the System reports to and is responsible to the Executive Vice Chancellor for Health Affairs. The Executive Vice Chancellor for Health Affairs reports to and is responsible to the Chancellor. The Executive Vice Chancellor for Health Affairs has direct access to the Board of Regents and is expected to work directly with the appropriate committees of the Board in discharging the duties of the office.

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 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.

6.1 Appointment and Tenure.

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

6.2 Duties and Responsibilities.

The Executive Vice Chancellor for Asset Management has responsibility for lands management (including management of trust lands, endowment lands, and management of the Permanent University Fund lands); investments and trusts (including investment and management of trusts, trust assets, and endowments) and management of the investment of the Permanent University Fund. This office has as a prime responsibility the management of the lands, trusts, endowments, and other such funds of the System in such a manner as to maximize the monies available for excellence in all activities of the System. This office also has a prime responsibility for policies on receipt, disbursement, and custody of funds; for terms of depository agreements with banks; and for custody (with the Director of Accounting) for bearer securities owned by System funds that are maintained in bank safety deposit boxes and are not in custody with the State Treasurer. This office in conjunction with the Vice Chancellor and General Counsel prepares debt issues. In consultation with the Chancellor, the Executive Vice Chancellor for Asset Management shall prepare recommendations and supporting information on all such operations for consideration by the appropriate standing committees of the Board and the Board of Regents.

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:

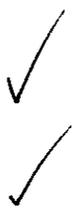
6.311 Works closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.

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 - Uni-  
←versity Lands;
- University Lands - Oil,  
←Gas, and Mineral  
←Interests;



University Lands  
    ← Accounting Office;  
University Lands -  
    ← Surface Interests  
    ← (Oil Field Supervi-  
    ← sion); and  
University Lands -  
    ← Surface Interests  
    ← (Leasing and Agri-  
    ← cultural Projects).



6.32

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

Subject to delegation by the Executive Vice Chancellor for Asset Management, the Manager of University Lands - Oil, Gas, and Mineral Interests is responsible for providing field supervision of System operations, activities and transactions involving oil, gas, and mineral development and production on the University Lands. Within limits of authority set by the Executive Vice Chancellor for Asset Management, the Manager's regular duties include:

- 6.321 Making recommendations to the Board for Lease of University Lands, and the Board of Regents, as appropriate, for periodic oil and gas lease sales of University Lands, and for unitization, pooling and other transactions involving oil and gas leasehold and royalty interests and other mineral interests in University Lands.
- 6.322 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of, all personnel reporting to him or her.

- 6.323      Reviewing periodically the terms and conditions of forms and transactions involving oil and gas interests in University Lands, and making recommendations with respect thereto to the Executive Vice Chancellor for Asset Management and the Board for Lease of University Lands.
- 6.324      Reporting regularly to the Executive Vice Chancellor for Asset Management and the Board for Lease of University Lands all activities, developments and problems which could significantly affect System interests and University Lands, together with his or her recommendations with respect thereto.
- 6.325      Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 6.326      Coordinating with the Manager of University Lands - Surface Interests in the discharge of their respective duties and responsibilities.

6.33      Manager of University Lands - Surface Interests.

Subject to delegation by the Executive Vice Chancellor for Asset Management, the Manager of University Lands - Surface Interests is responsible for providing field supervision of System operations, activities, and transactions pertaining to surface interests, water rights and oil and gas field operations in or on University Lands.

Within limits of authority set by the Executive Vice Chancellor for Asset Management, the Manager's regular duties include:

- 6.331 Making recommendations to the Board with respect to all transactions involving surface interests in University Lands, including research projects, right-of-way easements, agricultural, grazing and other surface use leases, and geophysical permits.
- 6.332 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of, all personnel reporting to him or her.
- 6.333 Reviewing periodically the terms and conditions of forms and transactions involving surface interests in University Lands, and making recommendations with respect thereto to the Executive Vice Chancellor for Asset Management.
- 6.334 Reporting regularly to the Executive Vice Chancellor for Asset Management all activities, developments and problems which could significantly affect System interests in University Lands, together with his or her recommendations with respect thereto.
- 6.335 Working closely with federal and state agencies in connection with research and development projects and activities, involving utilization and husbandry of University Lands, of mutual interest to the System and such agencies.
- 6.336 Coordinating with the Manager of University Lands - Oil, Gas, and Mineral Interests in the discharge of their respective duties and responsibilities, and acts as oil and gas fields supervisor.

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.

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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

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

7.1 Appointment and Tenure.

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

7.2 Duties and Responsibilities.

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

- 7.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 7.22 Submitting recommendations to the Chancellor and to the appropriate Executive Vice Chancellor on business operations of the components of the System.
- 7.23 Reviewing and making recommendations on uniform business systems and management.
- 7.24 Submitting recommendations relating to programs for the most efficient management of personnel and resources.
- 7.25 Submitting recommendations for program development for training of personnel in nonacademic areas.
- 7.26 Reviewing and making recommendations on programs of long-range planning for physical facilities and financial resources.
- 7.27 Reviewing and making recommendations relating to police and security matters within the System.

- 7.28 Coordinating the business affairs of the System with other officers and members of the System Administration staff.
- 7.29 In consultation with the appropriate Executive Vice Chancellor, coordinating the activities of business administrative operations of the component institutions.
- 7.2(10) Managing the operations of the offices of Facilities Planning and Construction, Budget, Comptroller, System Personnel, Police, and Special Services.
- 7.2(11) Supervising and coordinating the acquisition of all real property at the component institutions.
- 7.2(12) Directing the management of the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the System Administration and coordinating the building services for the System buildings.
- 7.2(13) Directing the management of the System-wide insurance programs (except the System Plan for Professional Medical Liability Self-Insurance), including approval of all policies and coverages, such programs to include:
  - Fire and Extended Coverage;
  - Liability;
  - Health;
  - Life;
  - Accidental Death and Dismemberment;
  - Income Replacement; and
  - Retirement.
- 7.2(14) Performing such other duties as may be assigned by the Chancellor.

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 (provided, however, that, in the audit functions, the Comptroller shall report directly to the Chancellor),

the Comptroller formulates and recommends procedures to be followed in the business operations of the System for:

- 7.321 Accounting, auditing and 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.
- 7.329 Conducting postaudits at each component institution.
- 7.32(10) Supervising the auditing of oil and gas production.

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

delegation by the Vice Chancellor for Business Affairs, the duties of the office include:

- 7.331 Having responsibility for custody, accounting and reporting of all funds handled by the Director of Accounting's Office for the component institutions outside of Austin, and for System Administration, the Permanent University Fund, the Available University Fund, and trust and special funds.
- 7.332 For securities owned by System funds and not in custody of the State Treasurer, having custody of registered securities and joint custodian, with the Executive Vice Chancellor for Asset Management, of bearer securities maintained in bank lock boxes.
- 7.333 Maintaining a full and complete set of records that accurately reflect the balances and transactions of all financial and property accounts of the System (as contracted with such accounts of the component institutions).

7.34 Director of Facilities Planning and Construction.

The Director of Facilities Planning and Construction reports to the Vice Chancellor for Business Affairs. The primary duties and responsibilities of the office include:

- 7.341 The provision of staff assistance to the Chancellor and the Executive

- 7.342 Vice Chancellors in the execution of their responsibilities. Managing the administration and general supervision of any new building construction and initial equipping thereof or any inside or outside repairs, remodeling, rehabilitation, new construction of improvements other than building, or campus planning costing \$300,000 or more; managing any preliminary planning, feasibility studies, or investigations which are estimated to ultimately develop into one of the above projects at any component institution of the System; advising and working with the consultants, architects and engineers employed by the Board subject to the terms and conditions of the contracts with those architects and engineers.
- 7.343 Serving as ex officio member of all faculty building committees at the component institutions.
- 7.344 Preparing and executing all documents relating to the acquisition and the use of funds received from the federal government and state agencies in connection with construction grant awards.
- 7.345 Coordinating the preparation of and approving of all grant applications on approved construction projects filed with governmental agencies.

- 7.346 Coordinating the development of and maintaining of master plans for all component institutions, including but not limited to land utilization, utility and landscape plans.
- 7.347 Developing standards for maintenance of all physical facilities at component institutions.
- 7.348 Directing the negotiation and approval of all utility contracts.

7.35 System Personnel Director.

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

- 7.351 Acting as liaison between component institution personnel officers and the System officers regarding all personnel matters relating to classified personnel, administrative staff, and certain matters relating to teaching and/or academic personnel.
- 7.352 Advising the System officers and making recommendations concerning development of methods and procedures designed to maximize the effectiveness of System Personnel Programs.
- 7.353 Reviewing and recommending all classified personnel pay plans for each component institution, including the establishment of proper

- classification and pay scales consistent with needs and System-wide policies and procedures.
- 7.354 Reviewing and recommending the Personnel Office budgets for each component institution.
- 7.355 Directing the administration of the System Personnel Office, including the Workers' Compensation Insurance section.
- 7.356 Reviewing and recommending to System officers any rules and regulations or changes thereto that, after proper consultation with officers of component institutions, are considered beneficial or necessary for the proper administration of the System-wide Personnel Program.
- 7.357 Establishing employee development and training programs for all component institutions, including particularly supervisory training programs.
- 7.358 Formulating policies and procedures concerning labor relations and employer-employee relationships.
- 7.359 Assisting and establishing personnel data systems and proper practices and procedures concerning the personnel records of all employees.
- 7.35(10) Conducting System-wide wage and salary research studies and formulating data for proper implementation of personnel pay programs.

7.35(11) In consultation with the personnel offices of the component institutions, developing and maintaining a System-wide Personnel Pay Plan with uniform titles and account numbers.

7.36

Director of Police.

Subject to delegation by the Vice Chancellor for Business Affairs, the Director of Police is responsible for:

7.361 Approving qualifications for police personnel at the component institutions of the System and approving all applicants to a basic or in-service training school or academy.

7.362 Approving the organizational structure for police departments at the component institutions of the System.

7.363 Establishing and supervising all training programs for System police, including basic and in-service training, as well as on-the-job training at each component institution of the System.

7.364 Conducting the System training in accordance with the standards of the Texas Commission on Law Enforcement Officer Standards and Education, in order to maintain accreditation with this state agency.

7.365 Maintaining liaison with the Director of Training, Texas Department of Public Safety,

- and the Coordinator of Training, Federal Bureau of Investigation, and being aware of new training techniques, procedures, programs, and equipment.
- 7.366 Establishing a uniform reporting and record system for police departments at the component institutions of the System and approving any changes thereto.
- 7.367 Conducting periodic inspection of the police departments at the component institutions of the System and evaluating their performance as police agencies.
- 7.368 Formulating and establishing policies and procedures for police operations on a System-wide basis.
- 7.369 Establishing, maintaining, and supervising on a System-wide basis, a program for police personnel promotion.
- 7.36(10) Reviewing and recommending the pay scale for police personnel throughout the System.
- 7.36(11) Surveying all component institutions of the System for security needs of existing buildings, grounds, and lighting, in order to make the appropriate recommendations to insure the prevention of criminal activities and the protection of life and property.
- 7.36(12) Consulting with the Office of Facilities Planning and Construction on security needs for new construction including security lighting on the property of the component institutions of the System.

- 7.36(13) Coordinating the use of police throughout the System in emergency situations.
- 7.36(14) Submitting periodic reports to the Vice Chancellor for Business Affairs concerning the operations of the police departments of the System.

Sec. 8. Vice Chancellor and General Counsel.

The Vice Chancellor and General Counsel reports to the Chancellor. The Vice Chancellor and General Counsel is responsible for the provision of legal services to the Board of Regents of The University of Texas System as set out in Section 8.2 of this Chapter. The Vice Chancellor and General Counsel provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Vice Chancellor and General Counsel has direct access to the Board of Regents of The University of Texas System and is expected to work directly with the appropriate committees of the Board in discharging the duties of the office.

8.1 Appointment and Tenure.

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

8.2 Duties and Responsibilities.

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

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

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

- matters, and making recommendations to System officials and other personnel as to future operations and objectives.
- 8.29 Approving as to form all contracts and agreements and all amendments to the Regents' Rules and Regulations; and approving as to form all institutional Handbooks of Operating Procedures, whether finally approved or not, and all amendments to such Handbooks.
  - 8.2(10) Drafting all legislation that has been approved by the Board or requested by any System officer for submission to the Board for approval and providing legal counsel on pending legislation.
  - 8.2(11) Identifying and evaluating administrative and functional problems and directing or recommending, as appropriate, courses of action for solution.
  - 8.2(12) Representing the System before legal, educational and governmental groups and associations.
  - 8.2(13) Acting as administrator of the System Plan for Professional Medical Liability Self-Insurance and the System Intellectual Property Offices.
  - 8.2(14) Working in cooperation with the Attorney General of the State of Texas, ~~State~~ agency legal counsel and outside counsel.
  - 8.2(15) Assuming responsibility for any other legal, administrative or operational matters delegated by the Chancellor.

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Sec. 9. Vice Chancellor for Governmental Relations.

The Vice Chancellor for Governmental Relations reports to the Chancellor. The Vice Chancellor for Governmental Relations is responsible for coordinating the effective representation of the System in the area of governmental affairs as set out in Section 9.2 of this Chapter. The Vice Chancellor for Governmental Relations provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of

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

9.1 Appointment and Tenure.

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

9.2 Duties and Responsibilities of the Vice Chancellor for Governmental Relations.

The primary responsibilities of the office include:

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

No - leave as is - reference to  
temporary assignments / a is this referring to - designation of  
duties of special relations?  
VC for Gov't relations.

- 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. Councils of the System.

10.1 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.

10.2 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.

- 10.3 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.
- 10.4 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. 11. Chief Administrative Officers of Component Institutions.

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

11.11 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.

- 11.12 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.
- 11.13 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.
- 11.14 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.

11.2 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.

11.3 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.

11.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:

11.311 Develop and administer plans and policies for the program, organization, and operation of the institution.

11.312 Interpret the System policy to the staff, and interpret the institution's programs and needs to the System Administration and to the public.

11.313 Develop and administer policies relating to students, and where applicable, to the proper management of services to patients.

- 11.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
- 11.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.
- 11.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.
- 11.317 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.
- 11.318 Appoint, or establish procedures for the appointment of, all faculty, staff, and student committees.
- 11.319 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.

11.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.

11.31(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. 12. Appointment of Other Officers and Staff.

12.1 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.

- 12.2 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.
- 12.3 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.
- 12.4 Staff and Officers of System Administration. Staff and officers of System Administration shall be appointed by the Chancellor, the Executive Vice Chancellors, or Vice Chancellors to whom they will report. Officers so appointed shall not have tenure by virtue

of their respective offices. They shall hold office without fixed term subject to the pleasure of the officer to whom they report. The actions of the Executive Vice Chancellors or Vice Chancellors concerning such staff and officers are in turn subject to approval by the Chancellor.

12.5

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.

CHAPTER III

PERSONNEL

Sec. 1. Appointments.

- 1.1 The Board, upon the recommendation of the Chancellor, shall elect or appoint, as the case may be, all of the officers, faculty members, and other employees of the System and of the component institutions and agencies of the System, fixing, subject to state and federal laws, the duties, rights, and privileges of each employee or each class or group of employees; provided, however, that the Board may delegate to the Chancellor, and the Chancellor, through the appropriate Executive Vice Chancellor, may delegate to the chief administrative officers of the component institutions, authority to appoint employees in certain designated classes or categories. ✓
- 1.2 All appointments shall be made on the basis of merit.
- 1.3 The chief administrative officers of the component institutions shall investigate thoroughly the character, integrity, scholastic attainment, and other qualifications of prospective members of their faculties and staffs before exercising any delegated authority for making appointments. ✓
- 1.4 The chief administrative officers of the component institutions shall not nominate or appoint, nor will the Board approve the appointment of, any person whose conduct or views are not exemplary; and the Board may inquire, or authorize inquiry, into family history, health and personal and moral character of such person.

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- 1.5 As provided in the Constitution of the State of Texas, Article I, Section 4, and by statute, no religious qualification shall be required for appointment to any office or position connected with the System or any component institution thereof.
- 1.6 There shall be full compliance with statutory provisions requiring notification to employees.
- 1.7 Each component institution may require X-rays of the chest for applicants to be employed in regular positions. Employees whose duties will require the handling of food or the care of patients must pass a physical examination indicating fitness for the position for which application is made. The examination may be made at the health service of the component institution at which the applicant will be employed, if such service exists. Reports of physical examinations shall be filed as determined by the chief administrative officer.
- 1.8 Academic Titles.

In order to achieve consistency in the use of academic titles among the component institutions of the System, the following subsections describe the use of titles to apply in all institutions from the date of adoption of this section.

- 1.81 Except for the title Regental Professor, the only titles to be used henceforth in which faculty members may hold tenure are as follows:
- (a) Professor
  - (b) Associate Professor
  - (c) Assistant Professor

- 1.82 Persons holding a named chair or professorship or a position designated by academic discipline may acquire tenure by virtue of one of the three positions listed above, but not through the named chair or professorship or position designated by academic discipline.

1.83

The following academic titles may also be used within University of Texas System institutions. Tenure cannot be awarded to a person appointed to these ranks and, with the exception of the rank of instructor, academic service within these ranks cannot be counted toward the satisfaction of any required probationary period. Appointments to these titles shall be for a period of time not to exceed one academic year, and, with the exception of the title of instructor, such appointments shall terminate at the expiration of the stated period of appointment without the notification of nonrenewal required by Subsection 6.7 of this Chapter of the Regents' Rules and Regulations. If a component institution determines that it is to the benefit of the institution, it may offer reappointments to these titles.

- (a) Instructor. This title denotes a probationary appointment as a member of an institutional faculty. During the period of probationary appointment to this rank the scholarly competence, teaching performance, and professional promise of the candidate will be evaluated.
- (b) Lecturer. This title may be used for individuals who will serve as teachers and whose experience and qualifications are comparable to those of faculty members in untenured, tenure-track positions.
- (c) Senior Lecturer. This title may be used for special teachers who will augment and complement regular teaching faculty and whose experience and qualifications are comparable to those of faculty members in tenure positions.

- (d) Assistant Instructor or Teaching Associate. These titles may be used interchangeably for (1) certain graduate students teaching on a part-time or full-time basis who are in the last phase of their doctoral programs and who are unconditionally enrolled in graduate study, or (2) persons who, because of the nature of their duties, such as in a laboratory or in a hospital, do not qualify for one of the usual academic titles and do not hold the academic training or professional distinction usually required for attaining tenure positions.
- (e) Teaching Assistant. This title usually applies to graduate students who are teachers and who are employed on a part-time basis. The only other teaching titles for graduate students are Teaching Associate and Assistant Instructor.
- (f) Faculty Associate. This title may be applied to a person assigned to a research or nonteaching center, institute, or other unit or interdisciplinary program of a component institution.
- (g) Specialist. This title may be used for professional individuals who will serve as practitioners in specific areas of instruction, training or supervision. Upon approval of the chief administrative officer, the appropriate Executive Vice Chancellor, and the Chancellor, the title may carry appropriate descriptive prefixes so as to indicate the specific areas of proficiency, e.g. Practice Teaching Specialist, Physical Activity Specialist, Social Work Field Training Specialist.

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

(1) Professor of Clinical

\_\_\_\_\_  
(title of specialty)

(2) Associate Professor of Clinical

\_\_\_\_\_  
(title of specialty)

(3) Assistant Professor of Clinical

\_\_\_\_\_  
(title of specialty)

(4) Instructor in Clinical

\_\_\_\_\_  
(title of specialty)

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

(1) Professor of

\_\_\_\_\_  
(title of specialty)

(2) Associate Professor of

\_\_\_\_\_  
(title of specialty)

(3) Assistant Professor of

\_\_\_\_\_  
(title of specialty)

(4) Instructor in

\_\_\_\_\_  
(title of specialty)

For persons appointed to positions pursuant to this Subsection, all appointment letters, personnel forms, budgets and other official documents of the health component shall state in parenthesis following the name and title of the individual either

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1.84

"(nontenured clinical appointment)" or "(nontenured research appointment)," as appropriate, and service in such positions shall not be credited as faculty service toward satisfaction of a required probationary period for the award of tenure.

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

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

- (c) Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor and Clinical Instructor. These titles may be used by the components to designate regular part-time service on the faculty while involved in a health professions clinical experience program. Appointments to the faculty with a clinical title may be with or without pay and shall be for a period of time not to exceed one academic year. Such appointments shall terminate upon expiration of the stated period of appointment without the notification of nonrenewal required by Section 6.7 of this Chapter of the Regents' Rules and Regulations. If a component determines that it is to the benefit of the institution, it may offer reappointment to a clinical faculty member.
- (d) Professor Emeritus and Associate Professor Emeritus. One of these titles may be given to a retired faculty member or in anticipation of the retirement of a faculty member, effective upon retirement. The conferring of one of these titles is not automatic upon retirement and is conferred in accordance with procedures developed at the institution and upon approval by the chief administrative officer of the component institution.

1.85 Any person holding a position of Research Scientist, Research Associate, Research Assistant, or (in the health units) other appropriate research title, will be under the classified personnel system, unless

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

1.86 Any faculty member who is awarded the Nobel Prize or who has in the past been awarded the Nobel Prize may, upon recommendation of the chief administrative officer of the component institution, the appropriate Executive Vice Chancellor, and the Chancellor, be given the title Regental Professor. Because of the great honor associated with the award of a Nobel Prize, institutional tenure is awarded to Regental Professors by virtue of the appointment to this rank.

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

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

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

Sec. 2. Classified Personnel Systems.

- 2.1 Subject to System-wide rules, each of the component institutions shall provide a classified personnel system covering all positions not entailing significant instructional responsibilities or responsibilities for administration of instructional or research activities. These systems shall be as nearly uniform as possible, and shall include a schedule of class titles, job specifications for each class, a schedule of pay ranges, and policies and rules relating to personnel administration.
- 2.2 All appointments of classified personnel shall be made within appropriate salary ranges and on salary steps as defined by the classified personnel program approved by the Board for the particular component institution.
- 2.3 The System-wide rules as to classified personnel are found in Part Two, Chapter V, Section 1.

Sec. 3. Employment of Aliens on Sponsored Projects.

Where sponsored contracts and grants do not otherwise prohibit or limit the employment of noncitizens, a noncitizen may be employed upon certification by an appropriate administrative officer at the component institution that the officer has examined the applicant's visa and found it to be in order and has ascertained that the applicant has the approval of the United States Immigration authorities to accept such employment.

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Sec. 4. Code of Ethics.--Each employee, under state law, shall be furnished a copy of the Code of Ethics (V.C.S. 6252-9b) and, in addition thereto, shall adhere to the following standards of conduct for employees of the System and its component institutions:

- 4.1 No employee shall accept any gift, favor, or service that might reasonably tend to influence the employee in the discharge of his or her official duties.

- 4.2 If an employee owns a controlling interest in a corporation, firm, partnership, or other business entity which is under the jurisdiction of any state regulatory agency, the employee shall file a sworn statement with the Secretary of State disclosing such interest.
- 4.3 No employee shall use his or her official position to secure special privileges or exemptions for himself/herself or others, except as may be otherwise provided by law.
- 4.4 No employee shall accept employment or engage in any business or professional activity which the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by the employee by reason of his or her official position.
- 4.5 No employee shall disclose confidential information gained by reason of his or her official position, nor shall the employee otherwise use such information for his or her personal gain or benefit.
- 4.6 No employee shall transact any business in his or her official capacity with any business entity of which the employee is an officer, agent, or member, or in which the employee owns a controlling interest.
- 4.7 No employee shall make personal investments in any enterprise which will create a substantial conflict between the employee's private interests and the public interest.
- 4.8 No employee shall accept other employment which might impair the employee's independence of judgment in the performance of the employee's public duties.
- 4.9 No employee shall receive any compensation for services as an employee from any source other than the State of Texas, except as may be otherwise provided by law.

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

5.1 Whenever an appointment is made, either on a full-time or part-time basis, it shall be made solely with regard to the special fitness of the appointee, subject to applicable statutes; and subject also to the provisions of this section of the Regents' Rules and Regulations.

5.2 In accordance with the prohibition of Article 5996a, Vernon's Civil Statutes, no person related to any member of the Board of Regents within the second degree by affinity or within the third degree by consanguinity shall be eligible for appointment to any office, position, employment, or duty with The University of Texas System or any component institution thereof, when the salary, fee, or compensation of such appointee is to be paid, either directly or indirectly, out of public funds of any kind.

5.21 Article 5996a, Vernon's Civil Statutes, does not prohibit the reappointment or continued employment of any person who shall have been continuously employed in any such office, position, employment, or duty for a period of one (1) year prior to the appointment of the member of the Board of Regents related to such person within the prohibited degree, nor does it apply to prohibit honorary or nonremunerative positions; provided that when such person is reappointed or continued in employment the member of the Board of Regents who is related to such person in the prohibited degree shall not participate in the deliberation or voting upon the reappointment, continuation of employment, change in status, compensation or dismissal of such person, if such action applies only to such person and not to a bona fide class or category of employees.

5.22 Those persons related within the prohibited degrees are indicated on the charts displayed in this Section as Table 1.

5.23 The prohibition of Article 5996a, Vernon's Civil Statutes, applies to all programs administered under the Board of Regents and may not be waived.

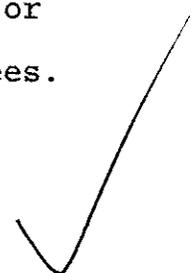
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5.3 Even though the appointment of a person would not be prohibited by Article 5996a, Vernon's Civil Statutes, no officer, official or employee of The University of Texas System may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such officer, official, or employee within the second degree by affinity or the third degree by consanguinity regardless of the source of funds for payment of salary.

5.31 If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the above specified degree, all subsequent actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by the component institution's Personnel Director in the case of classified employees or the chief administrative officer in the case of faculty or nonclassified employees.

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- 5.32 If the appointment, reappointment, or promotion of a person places him or her in an administrative or supervisory position with responsibility to approve, recommend or otherwise act with regard to the appointment, promotion, or salary of a person who is related to them within the degree prohibited by Article 5996a, all subsequent actions regarding the reappointment, promotion, or salary of such person shall be made by the next highest administrator or supervisor at the component institution or The University of Texas System.
- 5.33 It shall be the responsibility of the administrator or supervisor acting pursuant to Section 5.31 or 5.32 to make a written review of the work performance of such person at least annually and to submit such review to the next highest administrator or supervisor at the component institution or The University of Texas System.
- 5.34 The provisions of Section 5.31 shall apply to situations where two employees of the System marry and one spouse is the administrative supervisor of the other.
- 5.35 All situations covered by Section 5.31 shall be reported annually through the institution's docket or with the annual operating budget.

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

- 6.1 Subject to the provisions of Section 65.32 of the Texas Education Code, which reads, "The board may remove any officer, member of the faculty, or employee connected with the system when in its judgment the interest of the system requires the removal," and subject to the terms and provisions of these Regents' Rules and Regulations, the principles governing tenure and promotion are specified for each component institution in the Handbook of Operating Procedures applicable to that institution. See also Section 1.8 above on academic titles.

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

*M.D. Anderson*

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

*M.D. Anderson*

No component institution may adopt or implement a seven-year term appointment policy except The University of Texas ~~of the Permian Basin and The University of Texas System~~ Cancer Center.

6.21 Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and Instructor, or any combination thereof, shall be counted toward fulfillment of a required probationary period related to the acquisition of tenure or a seven-year term appointment. Periods during which a faculty member is on leave of absence shall not be counted toward fulfillment of a required probationary period.

6.22 Prior service at other academic institutions, whether inside or outside the System, shall not be counted toward fulfillment of

the required probationary period unless specifically permitted under the provisions of a component institution's Handbook of Operating Procedures.

6.23

The maximum period of probationary faculty service in nontenured status in any academic rank or combination of academic ranks specified in Section 6.21 shall not be more than seven years of full-time academic service at the general academic institutions of the System and not more than nine years of full-time academic service at the health science centers of the System. In the event that a component institution fails to specify the maximum length of probationary service in its Handbook of Operating Procedures, such period shall be seven years at the general academic institutions of the System and nine years at the health science centers of the System. No later than August 31st of the penultimate academic year of the maximum probationary period in effect at any component institution, all nontenured faculty serving in a rank which accrues time toward satisfaction of a probationary period shall be given notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure or a seven-year term appointment will be granted. In the event that the employment of a nontenured faculty member is to be terminated prior to the end of the maximum probationary period, notice shall be given in accordance with Section 6.7 below.

*Yes*  
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6.24

For purposes of calculating the period of probationary service, an "academic year" shall be the period from September 1st through the following August 31st. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the following September 1st shall not be counted as academic service toward fulfillment of the

maximum probationary period. One year of probationary service is accrued by at least nine months full-time academic service during any academic year. A faculty member shall be considered to be on full-time academic service when in full compliance with regental standards pertaining to minimum faculty workloads at general academic institutions or when in compliance with the academic service standard in the Handbook of Operating Procedures of any health-related institution. ✓

All faculty appointments are subject to the approval of the Board. No nontenured member of the faculty should expect continued employment beyond the period of his or her current appointment as approved by the Board. Any commitment to employ a nontenured member of the faculty beyond the period of his or her current appointment shall have no force and effect until approved by the Board.

6.26

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

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

6.262 The acceptance of an appointment to a tenured position on the faculty of an educational institution outside the System shall be considered

as a resignation of any faculty position with the title of Instructor, Assistant Professor, Associate Professor, or Professor that such appointee may hold at a System component.

- 6.3 Termination by an institution of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of their appointment, except as is otherwise provided in Subsection 6.26, or by resignation or retirement for age in accordance with these rules, will be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the System.
- 6.31 A chief administrative officer may for grave cause suspend an accused faculty member pending immediate investigation or speedy trial as hereinafter provided.
- 6.32 In cases of incompetency, gross immorality, or felony, where the facts are admitted, summary dismissal will follow.
- 6.33 In cases where other offenses are charged, and in all cases where the facts are in dispute, the accused faculty member will be informed in writing of the charges, which, on reasonable notice, will be heard by a special hearing tribunal whose membership shall be appointed by the chief administrative officer from members of the faculty whose academic rank is at least equal to that of the accused faculty member.
- 6.331 In every such hearing the accused will have the right to appear in person and by counsel of the accused's selection and to confront and cross-examine witnesses who may appear.
- 6.332 The accused faculty member shall have the right to testify, but may not be required to do so, and may introduce in his or her behalf all evidence, written or oral, which may be relevant or material to the defense.

- 6.333 A stenographic or electronic record of the proceedings will be taken and filed with the Board, and such record shall be made accessible to the accused.
- 6.334 A representative of the institution may appear before the hearing tribunal to present witnesses and evidence against the accused faculty member and in support of the charge brought against such faculty member, and such institutional representatives shall have the right to cross-examine the accused faculty member (if the faculty member testifies in his or her own behalf) and the witnesses offered on behalf of the faculty member.
- 6.335 The hearing tribunal shall not include any accuser of the faculty member. If the accused faculty member is not satisfied with the fairness or objectivity of any member or members of the hearing tribunal, the faculty member may challenge their alleged lack of fairness or objectivity, but any such challenge must be made prior to the submission of any evidence to the hearing tribunal. The accused faculty member shall have no right to disqualify any such member or members from serving on the tribunal. It shall be up to each such challenged member to determine whether he or she can serve with fairness and objectivity in the matter, and if any such challenged member should voluntarily disqualify himself, the chief administrative officer shall appoint a substitute member of the tribunal who is qualified hereunder.

- 6.336 The hearing tribunal, by a majority of the total membership, will make written findings on the material facts and a recommendation of the continuance or termination of the accused faculty member's tenure. The hearing tribunal, by a majority of its total membership, may make any supplementary suggestions it deems proper concerning the disposal of the case. The original of such findings and the basic recommendation, together with any supplementary suggestions, shall be delivered to the Board and a copy thereof to the accused. If minority findings, recommendations, or suggestions are made, they shall be similarly treated.
- 6.34 The Board, by a majority of the total membership, will approve, reject, or amend such findings, recommendations, and suggestions, if any, or will recommit the report to the same tribunal for hearing additional evidence and reconsidering its findings, recommendations, and suggestions, if any. Reasons for approval, rejection, or amendment of such findings, recommendations, or suggestions will be stated in writing and communicated to the accused.
- 6.35 Nontenured faculty members who are notified in accordance with Section 6.7 that they will not be reappointed or who are notified in accordance with Section 6.23, 6.7, or 6.8 that the subsequent academic year will be the terminal year of appointment shall not be entitled to a statement of the reasons upon which the decision for such action is based. No hearing to review such a decision shall be held unless the affected faculty member submits in writing to the chief administrative officer of the institution factual allegations that the decision to terminate

was based upon the faculty member's exercise of rights guaranteed by the laws or Constitution of this state or the United States and requests an administrative hearing to review these allegations. Such allegations shall be heard under the same procedures as in the case of dismissal for cause, with the following exceptions:

- (1) the burden of proof is upon the affected faculty member to establish at such hearing that the decision in question was based on the faculty member's exercise of rights guaranteed by the laws or Constitution of this state or the United States;
- (2) the administration of the institution need not state the reasons for the questioned decision or offer evidence in support thereof unless the affected faculty member presents a prima facie case in support of the allegations.

6.4 Any employee of any component institution of the System, including any member of the faculty or administration, who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to dismissal as an employee. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above. ✓

6.5 Every faculty member and employee is expected to obey all federal, state, and local laws, and particularly Section 42.01 (Texas Penal Code) and Sections 4.30 and 4.31 (Texas Education Code). Any faculty member or employee who violates any provision of these three statutes is subject to dismissal as a faculty member or employee, notwithstanding any action by civil authorities on account of the violation.

- 6.6 The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every faculty member and employee of the System and its component institutions. Any faculty member or employee who violates the minimum standards of conduct required by any felony statute of Texas or the United States is subject to dismissal as a faculty member or employee, regardless of whether or not any action is taken against the faculty member or employee by civil authorities on account of such violation. If action for dismissal is taken, the appropriate administrative official shall proceed with the action in the same manner as he would in the case of a violation by a faculty member or employee of any other provision of these rules and regulations or a provision of any Handbook of Operating Procedures. ✓ or she
- 6.7 In the event of decision not to reappoint a nontenured faculty member, written notice will be given him or her not later than March 1st of the first academic year of probationary service if the appointment expires at the end of that academic year, or not later than December 15th of the second academic year of probationary service if the appointment expires at the end of that academic year. After two or more academic years written notice shall be given not later than August 31st that the subsequent year will be the terminal academic year of appointment. The notice required by this Section is not applicable where termination of employment is for good cause under Section 6.3 above.
- 6.8 A faculty member serving a seven-year term appointment shall be given notice not later than August 31st of the sixth academic year of such appointment period that the subsequent academic year will be the terminal year of employment or that, subject to the approval of the Board, at the conclusion of the subsequent academic year he or she will be reappointed to a seven-year term appointment.

- 6.9 Reappointment of nontenured members of the faculty to a succeeding academic year, reappointment of members of the faculty who are serving a seven-year term appointment to a succeeding seven-year term appointment, or the award of tenure or a seven-year term appointment, may be accomplished only by notice by the chief administrative officer of a component institution or his ~~delegate with the approval of~~ *or her* the Board. Notwithstanding any provisions of Section 6.23, 6.7 or 6.8 to the contrary, no person shall be deemed to have been reappointed or to have been awarded tenure or a seven-year appointment because notice is not given or received by the time prescribed in Section 6.23, 6.7 or 6.8 or in the manner prescribed in Section 6.(11). Should it occur that no notice is received by the time prescribed in Section 6.23, 6.7 or 6.8, it is the duty of the academic employee concerned to make inquiry to determine the decision of the chief administrative officer of a component institution, who shall without delay give the required notice to the academic employee.
- 6.(10) Each faculty member shall keep the chief administrative officer of the component institution or his ~~delegate notified of his current mailing address.~~ *or her* 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. *or her*
- 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.
- 6.(12)2 The committee will review and assess the academic programs of the institution and identify those academic positions that may be eliminated with minimum effect upon the degree programs that should be continued. The review will include, but not be limited to, an examination of the course offerings, degree programs, supporting degree programs, teaching specialties, and semester credit hour production.
- 6.(12)3 Upon determining that one or more academic positions in a degree program or teaching specialty should be eliminated, the committee will recommend the particular position or positions to be terminated by reviewing the academic qualifications and talents of holders of all academic positions in those degree programs or teaching specialties, the needs of the program they serve, past academic performance, and the potential for future contributions to the development of the institution. Tenure status of a faculty member shall not be a consideration in the determination of whether a particular position should be eliminated except as permitted in Subsection 6.(12)4.

- 6.(12)4 If, in the opinion of the committee, two or more faculty members are equally qualified and capable of performing a particular teaching role, the faculty member or members having tenure shall be given preference over nontenured faculty. However, if such faculty have the same tenure status, consideration will be given to the need of the institution for capabilities for teaching in multiple disciplines, and the faculty member or members qualified by training and experience to teach in more than one discipline or area of specialization will be given preference over a faculty member or members qualified to teach in only one discipline or area of specialization. In other instances, length of service as a member of the faculty at the institution shall be the determining factor.
- 6.(12)5 Upon completion of its review, the committee shall promptly recommend to the chief administrative officer those persons who may be terminated, ranked in order of priority, with the reasons for their selection. The chief administrative officer shall, with such consultation with institutional administrative officers as he or she may deem appropriate, determine which academic positions are to be terminated because of the financial exigency and shall give the holders of these positions written notice of the decision.
- 6.(12)6 Any person terminated due to financial exigency will be notified when a vacancy occurs in the same component institution in his or her field of teaching within the next two (2) academic years following the termination. If such person makes timely application and is qualified for the position to be filled, he or she shall be offered employment in that position. If the vacancy is in a field of teaching in which two or more persons have been terminated because of financial exigency, all

will be notified of the vacancy and of those so notified and making timely application, employment will be offered to the person who is the better qualified for the position to be filled.

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

6.(12)84 The burden shall be upon the appealing person to show by a preponderance of the credible evidence that:

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- (a) financial exigency was not in fact the reason for the initial decision to reduce academic positions; or
  - (b) the decision to terminate the appealing person as compared to another individual in the same discipline or teaching specialty was arbitrary and unreasonable.
- No other issues shall be heard or considered by the hearing committee.



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

Sec. 7. Rights and Responsibilities as a Citizen and as a Teacher.

- 7.1 The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other academic duties.
- 7.2 The teacher is entitled to freedom in the classroom in discussing his or her subject, but is expected not to introduce into his or her teaching controversial matter which has no relation to his or her subject.
- 7.3 The university teacher is a citizen, a member of a learned profession, and an officer of an educational institution supported by the state. When the teacher speaks or writes as a citizen, he or she should be free from institutional censorship or discipline, but the teacher's special position in the community imposes special obligations. As a person of learning and an educational officer, the teacher should remember that the public may judge the profession and the institution by his or her utterances. Hence, the teacher should at all times be accurate, should



exercise appropriate restraint, should show respect for the opinions of others, and should make it plain that the teacher is not an institutional spokesman. As a member of the staff of a state institution of higher education, he or she should refrain from involving the System or any of its component institutions in partisan politics. ✓

- 7.4 The Board of the System recognizes and affirms the right of a member of the faculty or staff to participate in political activities so long as such political activities do not interfere with the discharge of the duties and responsibilities that the employee owes to the System or any of its component institutions and so long as such political activities do not involve the System or its component institutions in partisan politics (See Section 7.3). With the interest of the System or its component institutions being given first consideration, a leave of absence without pay may--but need not--be granted to a member of the faculty or staff (See Section 16). However, it would be inappropriate for a leave of absence without pay to be granted primarily to permit a member of the faculty or staff of the System or its component institutions to participate in political activity, including, but not limited to, being a candidate for political office, holding a political office, or directing the political campaign of another person seeking a political office. Therefore, if a member of the faculty or staff wishes to engage in political activity that interferes with the discharge of the duties and responsibilities that the employee owes to the System or any of its component institutions, the employee should voluntarily terminate employment by the institution. On the other hand, if the faculty or staff member does not voluntarily terminate employment by the institution and if the faculty or staff member's superior officer, such as the chief administrative officer, the Chancellor, an Executive Vice Chancellor, or the Board, finds that the faculty or staff member's political activity does in fact interfere with the discharge of the duties and responsibilities that the employee owes to the System or any of its component institutions, the chief administrative officer, the Chancellor, an Executive Vice Chancellor, or the Board shall terminate employment by the institution.

Sec. 8. The Greater Duties of a Member of the Teaching Staff.

- 8.1 Common practice has fixed the greater duties of a member of the teaching staff so clearly that many institutions do not even list them among their regulations. They are:
- 8.11 Teaching in the classroom, laboratory, seminar, or ward.
  - 8.12 Studying, investigating, discovering, and creating.
  - 8.13 Performing curricular tasks auxiliary to teaching and research, e.g., serving on faculty committees, attending to administrative and disciplinary tasks, promoting diligence and honest work in the student body.
  - 8.14 Influencing beneficially students and citizens in various extracurricular ways.
- 8.2 Performance as a teacher, as a scholar, as an administrator, and as an individual is valued greatly by any university, for in these four ways its work is chiefly done.
- 8.3 A state university being a public enterprise of maximum social importance, it is the duty of all persons connected with it to be as civic-minded as possible. It is also a duty to cooperate with the Board in carrying out the purposes and policies of the Board which are deliberately considered, usually by both the Board and the several faculties, in accordance with law and designed to attain the best educational results with the resources available. The Regents and all administrative officers are entitled to the cheerful acquiescence of all staffs in carrying out the policies duly adopted. At the same time, administrative officers are expected to listen with an open and appreciative mind to criticisms and suggestions coming to them from members of their staffs.

Sec. 9. Acquaintance with, Conformity to, Availability and Improvement of Regulations.

9.1 It is a specific and important duty of each member of the several teaching staffs to become acquainted with and to conform to all the rules and regulations relating to faculty and to the proper and orderly discharge of their work that are to be found set forth in both these Regents' Rules and Regulations and the institutional Handbook of Operating Procedures; in catalogues, announcements of courses, and other official publications; in printed or other material regularly prepared for the use of the staff; and in minutes of the faculties. To this end, copies of the Regents' Rules and Regulations, Part One, and the official institutional Handbook of Operating Procedures shall be reproduced by the chief administrative officer and distributed and located on campus as considered appropriate by the chief administrative officer. The chief administrative officer shall have one copy of the Rules and Regulations and the institutional Handbook of Operating Procedures available at an appropriate location in his or her office for ready reference. In addition, the chief administrative officer shall distribute a copy of these two documents to the secretary to the faculty or representative faculty body at the institution. The official, current copy of the Regents' Rules and Regulations is maintained by the Executive Secretary to the Board.

9.2 It is also the specific duty of each member of the teaching staffs to consider the regulations and the routines in conforming to them and to propose what seem to be desirable changes in these regulations and routines to the appropriate faculty or official.

Sec. 10. Communications, Appeals, and Hearings.

10.1 Every member of a teaching staff has the right to propose changes in policies and procedures and to present arguments in support thereof.

10.11 Proposals should originate and follow routines as prescribed elsewhere in the Regents' Rules and Regulations or in the institutional Handbook of Operating Procedures.

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10.12 When a proposal has been approved or amended by the appropriate institutional officials, faculties, and the component chief administrative officer, it shall then go to the appropriate Executive Vice Chancellor and Chancellor for recommendation to the Board if such action is required.

10.13 When a proposal has been approved or amended or rejected by the appropriate institutional officials, faculties, and the component chief administrative officer, any member or group of members of the staff may present an appeal in opposition to the action of the majority or in opposition to the recommendation of the institutional official or the component chief administrative officer, and this appeal, accompanied by reasons for and against the proposal, shall go through the prescribed administrative channels and shall be presented through the appropriate Executive Vice Chancellor to the Chancellor and thence to the Board for final action. The deans and other institutional officials, the component chief administrative officer, the appropriate Executive Vice Chancellor, the Chancellor and the Board may invite both sides for personal conferences and discussions.

10.14 An authorized routine for proposals, with the right of appeal, having been herein fixed, it follows that proposals shall always be made in accordance therewith.

10.2 Every voting member of any faculty has the right and the duty to propose changes and to participate in debate in faculty meetings.

10.3 Appeals of classified (nonteaching) employees concerning conditions of employment must be made in keeping with the rules governing such employees.

Sec. 11. Communications with the Legislature and Other State Agencies or Officials.--The Board is the only proper channel through which recommendations concerning the administration of the System, as a whole or in any of its parts, should reach the Legislature or other state agencies or officials.

Sec. 12. Office Hours.--Members of the teaching staffs are expected to post on their office doors, and publish in any other manner required by the chief administrative officer, office hours and conference periods most advantageous to students.

Sec. 13. Outside Employment.

- 13.1 Members of the faculty or staff of component institutions should not be discouraged from accepting appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions. The consideration to the System of such activity is the improvement of the individual by virtue of his/ *or her* continuing contact with nonacademic problems in the nonacademic world. ✓
- 13.2 Members of the faculty or staff should be discouraged from accepting regular employment with units outside the System because this action would be divisive of loyalties and does not provide the return to the institutions indicated in 13.1.
- 13.3 Conflict of interest should be avoided in all instances of outside employment, but conflict of interest in an academic institution means outside activity which intrudes upon the academic functions of teaching, scholarly activities, and service to the institution.
- 13.4 Even in the case of members of the staff specifically engaged only in residence work, there exists an obligation, usually intermittent, to furnish expert knowledge and counsel for public benefit free of charge, provided that the meeting of this obligation by a faculty or staff member does not interfere with his or her regular duties, and provided further that in meeting this obligation a faculty or staff member on full-time duty shall avoid undue competition with legitimate private agencies.
- 13.5 No member of the faculty or staff engaged in outside remunerative activities shall use in connection therewith the official stationery of the System or any of its component institutions, or give as a business address any building or department of the institution.

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

if 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 appropriation bill and as are approved annually by the appropriate Executive Vice Chancellor, the Chancellor and the Board, or alternate holidays approved in the official calendars of the various institutions by the appropriate Executive Vice Chancellor, the Chancellor and the Board. (See the Classified Personnel rules in the institutional Handbook of Operating Procedures.)

Sec. 15. Vacation.

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

15.2 An employee who resigns, is dismissed, or separates from university employment shall be entitled to be paid in "lump sum" for all vacation leave entitlement duly accrued at the date of termination provided the employee has had continuous employment with the state for six months. The payment shall be calculated at the rate of compensation being paid the employee at the time of termination. ✓

15.3 In the case of death of an *or her* employee who has accumulated vacation leave, his estate will be paid for all accumulated vacation leave. The payment shall be calculated at a rate of compensation being paid the employee at the time of his death. ✓

Sec. 16. Leaves of Absence without Pay. ✓ *or her*

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.

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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. This bill provides that after two consecutive academic years at the same institution faculty members as defined in this Act may be considered for a faculty development leave for one academic year at one-half his regular salary or for one-half academic year at his full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein. ✓  
*other*

Sec. 18. Division of Salaries for Staff Engaged in Teaching and Nonteaching Activities.--Each component institution shall develop policies covering budgetary division of salaries for individuals whose employment is divided between teaching and nonteaching assignments subject to current statutory requirements or limitations. These policies shall be set forth in the institutional Handbooks of Operating Procedures.

Sec. 19. Sick Leave.

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

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

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

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

Sec. 21. Absence from Usual and Regular Duties.

- 21.1 Authorization for any member of a faculty or staff to be absent from his 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 the Fiscal Rules (See Part Two hereof).

Sec. 22. Authorization to Travel.

- 22.1 Authorization to travel will be granted only under the conditions specified in the Fiscal Rules (See Part Two hereof).
- 22.2 A faculty or staff member whose usual duties do not require travel shall not be absent from the regular place of work and usual duties except with permission obtained according to the Fiscal Rules (See Part Two hereof).

Sec. 23. Compensation for Correspondence and Extension Teaching of Full-Time Staff Members.--Compensation rates for correspondence courses and extension center teaching for full-time teachers on a nine months' basis or for other employees on a twelve months' basis shall be in accord with rates fixed by the then current Appropriation Bill. If not so fixed, they shall be set from year to year by the chief administrative officer, the appropriate Executive Vice Chancellor, and ~~with the approval of~~ the Chancellor.

*with the approval of*

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

- 24.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:
- 24.11 Although generally the individual instructor or the department should have wide discretion in the choice of materials to be used in the courses offered by the department, frequent changes in the textbooks prescribed should be discouraged and should be made only for cogent reasons.
- 24.12 Although the authorship of books, outlines, manuals and similar materials by members of the staff should be encouraged, the prescribed use of these for students is a responsibility that goes beyond that of the individual author. Where practicable and equitable, the charge for outlines, syllabi, and similar materials prescribed for the use of students should be borne by the instructional department concerned. Whenever a charge is authorized for such mimeographed or similarly processed materials, the prices should be as low as possible, consistent with the payment of a fair and reasonable royalty to the author or authors.
- 24.2 To carry out this statement of policy the following procedures are prescribed:
- 24.21 Any proposed change in the textbook of any course, within one year from the date of first adoption, shall be approved by the departmental faculty having jurisdiction, and a statement of the authorization with reasons therefor shall be transmitted by the chairman of the department through the dean to the chief administrative officer.

24.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until such books, notes, manuals, or materials shall have been approved, with reasons stated, by the departmental faculty, the dean or deans concerned, and transmitted to the chief administrative officer for approval and inclusion in the next regular docket. All such requests shall indicate the proposed prices and profits, and their authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.

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

Sec. 26. Acceptance of Money from Students.

- 26.1 Members of teaching staffs, without previous and special approval of the Board, shall not collect from students any fees or charges to be expended for institutional purposes, and shall not sell to students books, notes, or similar student supplies.
- 26.2 A member of the faculty or staff of the rank of instructor or above may not accept pay for extra instruction or teaching of students registered in the institution where he 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.

Sec. 27. Power to Authorize Expenditures out of System Funds.

- 27.1 No expenditure out of funds under control of the Board shall be made and no debt or obligation shall be incurred and no promise shall be made in the name of the System or any of its component institutions or of the Board by any member of the respective staffs of the System or any of its component institutions except:
- 27.11 In accordance with general or special budgetary apportionments authorized in advance by the Board and entered in its minutes; or
- 27.12 In accordance with authority specifically vested by the Board in a committee of the Board; or
- 27.13 In accordance with authority to act for the Board when it is not in session, specifically vested in some university officer by these Rules and Regulations or by special action of the Board.
- 27.2 It shall be the duty of the several institutional officers to see that all claims for payments of items not authorized as indicated above are refused and returned unpaid.
- 27.3 There shall be no sale to or purchase from the System or its component institutions by any employee thereof unless same has been duly authorized by the Board and the details relating thereto have been entered in its minutes.

Sec. 28. Indebtedness to the System or the State.--Neither salary payments nor any other payments shall be made to an employee, his or her agent or assignee, who is indebted to the System, any of its component institutions, or to the State until such debt is paid.

Sec. 29. Power to Bind the System in Fixing its Policies.--No employee of the System or any of its component institutions, as an individual or as a member of any association or agency, has the power to in anywise bind the System or any of its component institutions unless such power has been officially conferred in advance by the Board. Any action which attempts to

change the policies or otherwise bind the System or any of its component institutions, taken by any individual or any association or agency, shall be of no effect whatsoever until the proposed action has been approved by the chief administrative officer concerned, if any, 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 tenured faculty member or law enforcement officer of The University of Texas System or of any component institution or agency thereof shall be continued in a full-time service capacity or at a full-time compensation rate beyond the end of the fiscal year that includes his or her seventieth birthday.

31.2 The Board of Regents, upon the recommendation of the appropriate Executive Vice Chancellor, Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint a person who has retired pursuant to Subsection 31.1 to modified service after the end of the fiscal year that includes the person's seventieth birthday.

31.3 Recommendation for, and appointment to, modified service shall be made only after a review of the individual's past and current performance and a finding that the individual is not only competent to continue his or her duties, but that the continued service of the individual will result in a significant benefit to the System or a particular component institution.

31.4 Appointment to modified service shall be for one academic year and may be renewed for successive terms of one academic year after an annual review, recommendation, and finding as set forth in Subsection 31.3. The notice provisions of Section 6.8 of this Chapter shall not apply to nonrenewal of such appointments.

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31.5 The workload of an individual on modified service shall be no more than one-half of his or her workload immediately preceding appointment to modified service. Salary rate shall be in the same proportion of his or her salary rate for the fiscal year immediately preceding appointment to modified service as his or her workload is to a full-time workload and shall be subject to adjustment in accordance with policies and procedures applicable to other employees.

31.6 Upon recommendation of the 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.

- 32.3 No organization may become registered or remain registered at a component institution as a faculty or staff organization unless the membership of the organization is restricted to the faculty or staff of that component institution.
- 32.31 At the time of application for registration and at the beginning of each semester that an organization is registered as a faculty or staff organization, each such organization shall file with the appropriate officer at the component institution an affidavit executed by the president, chairman, or other appropriate official of the organization stating that the organization does not presently have, nor during any period of registration will it have, as a member any person who is not a member of the faculty or staff of the institution.
- 32.32 If the chief administrative officer of the institution, or his or her designated delegate, determines that the statements in such affidavit are false, registration shall be denied, or if it is determined that such affidavit has become false during any period of registration, such registration shall be cancelled.
- 32.4 Each application for registration as a faculty or staff organization shall be accompanied by a complete list of the names and addresses of all persons who are officers of the organization and the application shall identify by name and address the person or persons who are authorized to speak for or represent the organization in its relations with the institution and who are authorized to receive for the organization any official notices, directives, or instructions from the institution. This required information shall be kept current during any period of registration. If at any time during a period of registration it is determined by the chief administrative officer of the institution, or his or her delegate, that such information is not current and the organization does not make such information current within ten (10) days after being notified of such deficiency, registration shall be cancelled.

32.5 A registered faculty or staff organization may state that its membership is composed of the faculty or staff of a component institution, but it shall not suggest or imply that it is acting with the authority or as an agency of the institution. A faculty or staff organization shall not use the name of a component institution or the name of The University of Texas System as a part of the name of the organization, and it shall neither display the seal of either a component institution or The University of Texas System in connection with any activity of the organization nor use such seal or seals as part of any letterhead, sign, banner, pamphlet, or other printed material that bears the name of the organization.

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

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

## CHAPTER IV

### FACULTY ORGANIZATION

#### Sec. 1. Educational Policy.

- 1.1 The Board will devote its best efforts to making all of the institutions composing the System institutions of the "first class," as the Texas Constitution directs in Article VII, Section 10. The Board will be guided in general by the best practices of the best universities in the United States and abroad, especially by the best practices of state universities in the United States.
- 1.2 The Board will not, except in extraordinary cases, act on important matters of academic policy until it has received, or requested and obtained, advice thereupon from the institutional faculty or faculties affected or their legislative bodies. When new policies originating in any faculty give rise to serious differences of opinion in that body, the advice and recommended legislation shall, at the request of the minority, be accompanied by a record of the vote and by a summary of the reasons for and against the matters proposed.

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

- 2.1 General Authority.--Subject to the authority of the Board and subject further to the authority that the Board has vested in the various administrative officers and subdivisions of the System, the faculties of the component institutions regularly offering instruction shall have a major role in the governance of their respective institutions in the following areas:
  - 2.11 General academic policies and welfare.
  - 2.12 Student life and activities.
  - 2.13 Requirements of admission and graduation.

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

*or her* ✓

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

CHAPTER V

GRADUATE EDUCATION IN THE UNIVERSITY OF TEXAS SYSTEM

Sec. 1. The various component institutions of the System authorized to offer graduate degrees shall provide and maintain an appropriate faculty and administrative organization for such graduate degrees. The chief administrative officer of each component institution of the System shall be responsible through the appropriate Executive Vice Chancellor to the Chancellor, and through him or her, to the Board for policies and administration of the graduate programs.

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"Graduate programs," as the term is used in these rules, does not include the programs that lead to the M.D., D.D.S., M.P.H., Dr. P.H., J.D., LL.M., and M.C.J. degrees, or others that may be excluded upon recommendation by the chief administrative officer of the component institution and concurrence by the appropriate Executive Vice Chancellor and the Chancellor.

Sec. 2. Within the general academic components, the designation "Graduate School" will be used if (a) there is a minimum of three distinct programs approved for doctoral degrees and thirty such doctoral degrees have been awarded; or (b) there is a minimum of ten distinct programs approved for master's degrees and fifty master's degrees have been awarded. In component institutions that do not meet these requirements, graduate study will be in a "Division of Graduate Studies."

Sec. 3. Graduate programs in the health components shall be administered as follows:

3.1 In the ~~Health Science Centers~~ at Dallas, Houston, and San Antonio, and ~~at Galveston Medical Branch~~ the graduate programs will be administered through a Graduate School of Biomedical Sciences.

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*should this be "health-related institutions" ?*

3.2 In the Nursing Schools of component institutions, graduate education will be administered as specific graduate programs coordinated by an administrative officer designated by the chief administrative officer of the component institution.

*U.T. M.D. Anderson*  
3.3 In the ~~System~~ Cancer Center research and graduate instruction will be offered in cooperation with other components which are authorized to award graduate degrees. ✓

Sec. 4. Component institutions which offer graduate degrees and elect an administrative organization and designations different from those authorized above may do so only upon the recommendation of the chief administrative officer, the concurrence of the appropriate Executive Vice Chancellor and the Chancellor and the approval of the Board.

Sec. 5. The policies and procedures for staffing and administering the graduate programs at all component institutions shall be set forth in the institutional Handbook of Operating Procedures. These policies and procedures shall include qualifications for faculty members assigned to teach graduate courses, supervise graduate programs, and advise graduate students.

Where two or more components of the System are authorized to conduct joint or cooperative degree programs, the chief administrative officers of the cooperating institutions shall be authorized to establish, subject to the approval of the appropriate Executive Vice Chancellor, special procedures and organizations for the administration of such programs.

CHAPTER VI

STUDENT SERVICES AND ACTIVITIES

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 title, "Dean of Students," appears in this chapter, reference is made to the administrator bearing that title, or the officer or officers directly responsible for student affairs at each component institution. ✓
- 1.3 All authority held and exercised by a Dean of Students is delegated to the Dean by the chief administrative officer just as all authority held and exercised by a chief administrative officer is delegated by the appropriate Executive Vice Chancellor. Therefore, any action taken is subject to review by the chief administrative officer and the appropriate Executive Vice Chancellor, and both the appropriate Executive Vice Chancellor and the chief administrative officer may approve, amend, or disapprove such action, just as the appropriate Executive Vice Chancellor may approve, amend, or disapprove any action taken by the administrative head of any component institution. CAO
- 1.4 Any individual student, group of students, or student organization may petition the Board on any matter relating to these policies and regulations through the Dean of Students, the chief administrative officer, the appropriate Executive Vice Chancellor, and the Chancellor.
- 1.5 These policies and regulations shall become effective on December 1, 1978, and shall, at that time, supersede all other policies and regulations that may be in conflict herewith.

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CAO  
with CAO?*

- 1.6 Definition of Student.--A student is one who is currently enrolled at any of the component institutions of the System. These policies and regulations will also apply to any prospective or former student who has been accepted for admission or readmission to any component institution while he or she is on the campus of any component institution.
- 1.7 Definition of Campus.--The campus of a component institution is defined as all real property over which that institution has possession and control.

Sec. 2. The Dean of Students and His or Her Staff.

- 2.1 The Dean of Students shall be the administrative officer primarily responsible for the development and administration of policies relating to students and for the development and implementation of services to students in the areas assigned to him or her. The Dean shall have responsibility for the initial preparation of institutional regulations which will implement the policies and regulations set forth in this Chapter.
- 2.2 The Dean of Students shall have primary responsibility for (1) the supervision and development of student out-of-class programs and activities and of all student organizations; (2) the development of policies affecting student life; (3) the promulgation and enforcement of institutional rules that govern student conduct; and (4) the administration of student discipline on the campus.
- 2.3 The administrative staff of the Dean of Students shall consist of the heads of services for which the Dean has administrative responsibility.
- 2.4 The Dean of Students shall work with academic deans and department chairmen in structuring and implementing a program of faculty advising for both old and new students.

- 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 for one calendar year.
- 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.

- 3.4 The use of intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas; provided, however, that with the prior consent of the chief administrative officer, the foregoing provisions of this Section may be waived with respect to any specific affair which is sponsored by the institution. However, with respect to the possession and consumption of alcoholic beverages, state law will be strictly enforced at all times on all property controlled by the System and its component institutions.
- 3.5 No former student who has been suspended or expelled for disciplinary reasons from a component institution of the System shall be permitted on the campus of any component institution during the period of such suspension or expulsion without the prior written approval of the chief administrative officer of that institution.
- 3.6 Hazing in state educational institutions is prohibited by state law (Section 4.19, Chapter 4, Title I, Texas Education Code). Hazing with or without the consent of a student is prohibited by the System, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline.
- 3.7 Initiations by organizations may include no feature which is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders the organization subject to discipline.
- 3.8 Any student who 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.
- 3.9 Any student who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component

institution of the System, or on any real property over which the System has possession and control, shall be subject to discipline, including expulsion. As used in this Subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.

3.(10) The Dean of Students shall have primary authority and responsibility for the administration of student discipline at each institution. It shall be the Dean's duty to investigate allegations that a student has violated the Regents' Rules and Regulations, the rules and regulations of the institution, or specific orders and instructions issued by an administrative official of the institution in the course of his or her duties.

3.(10)1 If the Dean of Students determines that such allegations are not unfounded, the Dean shall prepare a written statement of charges, a statement of the evidence supporting such charges, including a list of witnesses and brief summary of the testimony to be given by each, and shall send such charges and statement to the accused student by certified mail, return receipt requested, addressed to the address appearing in the registrar's records.

3.(10)2 In any case where the accused student does not dispute the facts upon which the charges are based and executes a written waiver of the hearing procedures specified in Subsection 3.(11), the Dean of Students shall assess a penalty pursuant to Subsection 3.(13) that is appropriate to the charges and inform the student of such action in writing. The 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 3.22 of this Section. Except in cases involving the assessment of

the minimum penalty prescribed in Subdivision 3.22 of this Section, the decision of the Dean of Students on penalty may be appealed as in the case of a decision rendered subsequent to a hearing in accordance with Subsection 3.(11). The appeal is limited to the issue of penalty and no transcript will be required.

- 3.(11) In those cases in which the accused student disputes the facts upon which the charges are based, such charges shall be heard and determined by a fair and impartial person, hereinafter called the Hearing Officer, selected in accordance with procedures adopted by the institution. Except in those cases where immediate interim disciplinary action has been taken under authority of Subsection 3.(18), the accused student shall be given at least ten (10) days' notice of the date, time, and place for such hearing and the name of the Hearing Officer. Hearings held under Subsection 3.(18) will be held under the same procedures set forth below, but will be held as soon as practicable within ten (10) days after the disciplinary action has been taken. Upon a hearing of the charges, the institutional representative has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of the credible evidence. The hearing shall be conducted in accordance with procedures adopted by the institution and that assure both parties (institutional representative and the accused student) the following minimal rights:
- 3.(11)1 Both parties will exchange lists of witnesses and copies of documents to be introduced at a reasonable time prior to the hearing.
  - 3.(11)2 Each party shall have the right to appear and present evidence in person or through a designated representative or counsel of choice.
  - 3.(11)3 Each party, or his<sup>or</sup> her designated representative or counsel, shall have the right to cross-examine witnesses.

*to be consistent*

- 3.(11)4 The hearing will be recorded. If either party desires to appeal the finding, the record will be transcribed and both parties will be furnished a copy of the transcript.
- 3.(12) The accused student may challenge the impartiality of the Hearing Officer at any time prior to the introduction of any evidence. The Hearing Officer shall be the sole judge of whether he or she can serve with fairness and objectivity. In the event the Hearing Officer disqualifies himself ~~herself~~, a substitute will be chosen in accordance with procedures adopted by the institution. ✓ or
- 3.(13) (a) The Hearing Officer shall render and send to both parties a written decision which shall contain findings of facts and conclusions as to the guilt or innocence of the accused student and shall assess a penalty or penalties in accordance with the published disciplinary penalties of the institution or in accordance with the following prescribed penalties:
- 3.(13)1 Disciplinary probation.
  - 3.(13)2 Withholding of grades, official transcript or degree.
  - 3.(13)3 Bar against readmission.
  - 3.(13)4 Restitution or reimbursement for damage to or misappropriation of institutional property.
  - 3.(13)5 Suspension of rights and privileges, including participation in athletic or extracurricular activities.
  - 3.(13)6 Failing grade.
  - 3.(13)7 Denial of degree.
  - 3.(13)8 Suspension from the institution for a period of time not to exceed one calendar year.
  - 3.(13)9 Expulsion from the institution for a specific period of time not less than one year. Expulsion may be permanent.
  - 3.(13)10 Revocation of degree and withdrawal of diploma.
  - 3.(13)11 Other penalty as deemed appropriate under the circumstances.

(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 of suspension for one calendar year 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

of the law occurs on the campus of a component institution or in connection with a component institution-oriented activity, institutional penalties may be imposed regardless of whether penalties have been imposed by civil authority for the same offense.

- 3.(17) Since the value of an academic degree depends on the absolute integrity of the work done by the student for that degree, it is imperative that a student maintain a high standard of individual honor in his ~~her~~ <sup>or</sup> scholastic work. Scholastic dishonesty is the submission as one's own work of material that is not one's own. As a general rule, it involves one of the following acts: ~~x~~cheating, plagiarism, and/or collusion. Each component institution will adopt detailed regulations concerning scholastic dishonesty. ✓
- 3.(18) The Dean of Students or the chief administrative officer of the institution may take immediate interim disciplinary action, including suspension pending a hearing, against a student for violation of a rule and regulation of the System or of the institution at which the accused is a student when the continuing presence of the student poses a danger to persons or property or an ongoing threat of disrupting the academic process. The Dean may authorize interim withholding of the student's grades, degree or official transcript when such withholding would be in the best interest of the institution.
- 3.(19) Each component institution shall maintain for every student who has been charged with dishonesty or other serious misconduct at such institution, a permanent written disciplinary record that shall reflect the nature of the charge, the disposition of the charge, the penalty assessed, if any, and any other pertinent information. This disciplinary record shall be separate from the student's academic record and shall be treated as confidential, and the contents shall not be revealed except upon request of the student or in accordance with applicable state or federal laws. ✓

3.(20) Every student is expected to obey all federal, state, and local laws and is expected to familiarize himself/herself with the requirements of such laws. Any student who engages in conduct that violates any provision of those laws is subject to disciplinary action, including expulsion, notwithstanding any action taken by civil authorities or agencies charged with the enforcement of criminal laws on account of the violation. If disciplinary action is taken, the Dean of Students shall proceed with action in the same manner as in the case of a violation of any other provision of these Rules and Regulations or a provision of any institutional rule.

3.(21) Pursuant to the authority conferred upon the Board of the System by Sections 51.202 and 51.204, Texas Education Code, and in order to protect the safety and welfare of students and employees of the component institutions of the System and to protect the property of the System, it is hereby declared that it shall be unlawful for any person to enter, walk, run, lie, play, remain, or be in the water of any fountain or other artificial body of water located on the campus of any component institution of the System unless such person shall have theretofore been granted permission by the administrative head of that institution to enter, remain, or be in such water.

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

It shall also be unlawful for any person to damage, deface, or remove any portion of any fountain, monument, or memorial located on the campus of any component institution of the System.

Any person who violates any portion of this regulation shall upon conviction thereof be punished by a fine of not more than \$200.

Any student of a component institution who violates any portion of this regulation shall, in addition to the penalty prescribed in the last preceding Section, be subject to discipline, including expulsion, by the institution.

Sec. 4. Student Organizations.

- 4.1 An organization in which membership is limited to students (recognizing that faculty and staff may also be members) of a component institution may become a registered student organization at that institution by complying with the registration procedures established by the Dean of Students.
- 4.2 The Dean of Students, with the approval of the chief administrative officer, may establish regulations requiring faculty or staff advisers for registered student organizations. ✓
- 4.3 A registered student organization may state that its membership is composed of students, or of students, faculty, and/or staff, of a component institution, but it shall not suggest or imply that it is acting with the authority or as an agency of that institution. A student organization shall not use the name of a component institution or the name of The University of Texas System as a part of the name of the organization, and it shall neither display the seal of either a component institution or The 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 Dean of Students, with the approval of the chief administrative officer, may issue regulations governing the eligibility of students for participation in organized activities.

4.5 At each component institution, an appropriate committee or committees shall have initial jurisdiction over all 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 ~~administrative head~~ 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 Section 6.5 of this chapter, no organization or group, whether registered or not, may use any

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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 an affidavit stating 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 affidavit, or if, after such reasonable investigation as the chief administrative officer shall deem appropriate (which investigation shall afford the accused registered organization or group every right guaranteed to it by the due process clauses of the United States and Texas Constitutions), the chief administrative officer shall during the semester find that the affidavit is or has become false, and that the organization or group does, in fact, have as a member a person who is not either a student or a member of the faculty or staff of the institution, the chief administrative officer shall immediately cancel the registered status of the organization or group and shall deny to the organization or group any and all privileges to which it would otherwise be entitled as a registered student organization or group.

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 chief administrative officer pursuant to Subsection 6.13 of Section 6 of this chapter or Subsection 4.73 of Section 4 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 Laws Approved.--The constitutions and laws 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 Laws.--An amendment to the constitution or laws 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 Dean of Students, the chief administrative officer, the appropriate Executive Vice Chancellor, and the Chancellor and approved by the Board. ✓
- 5.13 Amendment or Repeal by Regents.--The Board shall amend or repeal any portion of the constitution and laws 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 Dean of Students.--  
The Dean of Students 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 laws of the particular association, but such action shall be in force only until the next meeting of the Board when Section 5.13, above, shall become applicable.
- 5.15 Salaried Employees Approved by Regents.--  
All persons officially employed on salary by or under the direct supervision of a students' association shall be subject to approval by the Dean of Students, the chief administrative officer, the appropriate Executive Vice Chancellor, ~~and~~ the Chancellor, and the Board, both as to salary and as to qualifications.
- 5.16 Annual Financial Reports.--Every officially recognized students' association shall make annually a complete financial report to the institutional 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 Dean of Students. Committees and administrative units of a students' association maintaining a budget in excess of \$25.00 per annum shall make such interim reports of financial condition as may be required by the Dean of Students.
- 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 Dean of Students, 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 Dean of Students.
- 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 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 Subchapter E, 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.

No individual, organization, group, association, or corporation may use the grounds, buildings, or facilities of any component institution of The University of Texas System except as permitted by the provisions of the Rules and Regulations of the Board of Regents and the rules and regulations of the component institutions approved in accordance with such Regents' Rules and Regulations.

6.11 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 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.

6.12 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:

(1) The sale or offer for sale of any newspaper, magazine, or other publications by means of a 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 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), 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

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(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, a recognized faculty group, or a registered student organization, and are scheduled in accordance with the facilities use regulations of the component institution.

(9) The activities of 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 26 U.S.C.A. 501(c)(3) (Internal Revenue Code). No organization may solicit under Subdivision (9) of this Subsection 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 is included in the activity permitted by this exception.

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

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 chief administrative officer 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 chief administrative officer determines that a solicitation is being conducted in a manner violative of this Subsection, the chief administrative officer 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 chief administrative officer may cancel the registered status of the offending organization.

- (2) The students' association and each registered student organization shall, within 30 days following the end of each academic semester or summer session, file with the chief administrative officer or his or her delegate a sworn statement fully and fairly disclosing the sources and amounts of money which it obtained from solicitations (sales and contributions) 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 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.--Registered student, faculty or staff organizations 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 may not use the institution's buildings and/or grounds. Registered student, faculty or staff organizations 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

peacefully demonstrate on the campus. Such regulations shall prohibit any activity that would interfere with academic and institutional programs.

- 6.16 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, vulgar, or libelous, or that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
- 6.17 No person, whether or not a student or employee of a component institution, shall post or carry any sign or poster that is obscene, vulgar, or libelous, or that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.
- 6.18 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 is obscene, vulgar, or libelous, or that is directed to inciting or producing imminent lawless action and is 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.

- 6.2 The use of student center or student union facilities on the campus of each component institution shall be subject to reasonable and nondiscriminatory regulations as may be promulgated by that center's governing board and approved by the Dean of Students and the chief administrative officer.

6.3 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 program and shall not result in damage to or defacement of property.

6.4 Identification Required.

- (a) Pursuant to the authority conferred upon the Board of the System by Chapter 80, Acts of the 60th Legislature, Regular Session, 1967 (Section 51.209, Texas Education Code), and in order to protect the safety and welfare of students and employees of the component institutions of the System, and to protect the property of the System, it is hereby declared that it shall be unlawful for any person 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 the System or the Executive Secretary to the Board;
  - (2) 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, the Manager of University Lands - Oil, Gas, and Mineral Interests, the Manager of University Lands - Surface Interests, the ~~the~~ Budget Director, the Comptroller, the Director of Accounting, the Director of Facilities Planning and Construction, the System Personnel Director, and the Director of Police. ✓

- (3) any administrative officer of the component institution, including the chief administrative officer, any assistant to the chief administrative officer, any vice president, any 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 fully 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 who refuses to identify himself or herself fully in accordance with Subsection (a) is, in addition to the penalty prescribed in Subsection (c), subject to discipline, including expulsion, by the institution.

6.5 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 mean any component institution.

- 6.51 The System will not permit the unrestricted use by non-System groups of any of its facilities.
- 6.52 The System will not enter into joint sponsorship of any project or program that is to result in private gain for the cooperating individuals, group or associations.
- 6.53 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.
- 6.54 Whenever non-System groups share in the use of System buildings, it must be upon the invitation of the System and under its joint sponsorship, and with the further understanding that all the conditions governing such sponsorship are to be set by the System.
- 6.55 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.
- 6.56 The System will not enter into joint sponsorship of any program or activity in which the educational implications are not self-evident and which does not directly supplement the educational purposes of the System.
- 6.57 It shall be understood that the availability of the System's facilities for functions other than the institution's own activities is strictly subject to the needs and the convenience of the System, which are always to have priority in the scheduling of facilities.

6.58 In the case of programs for which the System is a joint sponsor with some other 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.

6.6 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:

6.61 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.

6.62 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.

6.63 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.

6.64

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 6.63, 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 Title 26 of the United States Code (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.

6.65 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 Freedom of inquiry and discussion are basic and essential to intellectual development. However, these freedoms must be exercised in a manner that does not intrude upon or interfere with the academic programs and administrative processes of the System. Each component institution may designate one or more appropriate "free speech" areas on the campus where students may assemble and engage in free speech activities without prior administrative approval. In the absence of the designation of such "free speech" areas, 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 designated "free speech" areas or in accordance with the provisions of Section 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 the Texas Civil Statutes.
- 7.24 Registered student organizations, faculty or staff organizations, University-owned dormitories, and Student Government may be permitted the use of System-owned facilities to present off-campus speakers on campus pursuant to the facilities' use regulations promulgated by the component institution and subject to the requirement that each component institution must submit to the appropriate Executive Vice Chancellor for approval as a part of its institutional Handbook of Operating Procedures a copy of all applicable facilities' use regulations, and no facilities' use regulations shall have any force or effect until it has been approved by the appropriate Executive Vice Chancellor and the Office of the General Counsel.
- 7.25 An application for the use of any System-owned facility 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~~ other non-University- operated residential accommodations, subject to parietal rules. ✓ or

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.

CHAPTER VII

THE SYSTEM PRIVATE-FUND DEVELOPMENT AND FOUNDATIONS

Sec. 1. The System Private-Fund Development.

1.1 Responsibilities of the Board and Administrative Officials of the System in Private-Fund Development.

1.11 Among the most important responsibilities of the Board are those of establishing policies and procedures by which the developmental needs of the System and its component institutions can be determined and of directing vigorous efforts to attract private-fund support for meeting these needs.

1.12 The Chancellor is to serve as the Chief Executive Officer for Fund Development and as the agent of the Board for the discharge of development responsibilities. The Chancellor shall define for the Board, at periodic intervals, descriptions of current and future needs, as determined by the chief administrative officers and System Administration, taking into account such needs as each component institution development board may have recommended.

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Sec. 2. The Development Board of a Component Institution for Private-Fund Development.

2.1 With the approval of the chief administrative officer, the appropriate Executive Vice Chancellor, and the Chancellor, and the Board of Regents, any component institution may have a development board dedicated to its own unique interests. Such a development board is the agency responsible through the chief administrative officer to the Chancellor, and through him to the Board of Regents, for all private-fund development for that component institution. Each component institution development board shall determine its development needs and shall direct the formulation of plans and the promotion of support for its programs.

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- 2.2 Responsibilities and duties of the component institution development boards:
- 2.21 The component institution development board is the agency responsible to the chief administrative officer of each institution for all private-fund development for that institution.
- 2.22 The component institution development board shall recommend through the chief administrative officer, the appropriate Executive Vice Chancellor, and the Chancellor to the Board of Regents the approval of current and long-range policies which shall govern activities and responsibilities in cultivating and securing private funds for the institution.
- 2.23 The component institution development board shall have responsibility:
- 2.231 For studying and developing total development needs of the component institution.
- 2.232 For coordinating and formulating plans and actively promoting support for both current and long-range programs to meet the developmental needs of the component institution.
- 2.233 For developing gift possibilities not related to predetermined projects.
- 2.234 For periodic reports of progress to the chief administrative officer and the Chancellor on the plans and programs of the component institution development board. It is expected that a continuing program of the component institution will include collection and dissemination of information regarding gifts and endowments.
- 2.235 At periodic intervals, the chief administrative officer shall lay before his development board descriptions of current development needs.

*Order*

2.3 Composition and Operation of the Component Institution Development Board.--The component institution development board shall consist of members recommended and appointed by the chief administrative officer of each component institution with prior specific written approval of the appropriate Executive Vice Chancellor, the Chancellor and the Board of Regents. Initial appointments to the component institution development board shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointment of the board will be for a three-year term. All terms shall officially begin on September 1. At least one member shall be nominated by the ex-students' association of that institution. The chief administrative officer and the Chancellor (or his or her delegate) shall be ex officio members with voting privileges. The component institution development board will elect a Chairman and such other officers as are appropriate from among its membership.

2.4 General Policies of the Component Institution Development Boards:

- 2.41 A component institution development board shall seek to enlist the aid of numerous friends of the institution in fund-development efforts, and may establish such committees and other groups as seem desirable in carrying out its program.
- 2.42 A component institution development board shall serve the individual component institution of the System to coordinate and assist in the plans and programs of that component institution with consideration of development interests of all component institutions in the System.
- 2.43 A component institution development board will work closely with the internal foundations of the component institutions. No internal foundations shall be established or continued in existence except

with the approval of the appropriate Executive Vice Chancellor, the Chancellor and the Board of Regents. The chief administrative officer of each component institution shall be responsible for stimulating, guiding, and assisting the component institution development board and internal foundations of the component institution he or she heads and he or she may require suitable annual reports from each. All such activities shall be coordinated through the office of the chief administrative officer and the director of the component institution development board.

2.44 From time to time, special campaigns for specific objectives may be conducted, with or without the assistance of private fund-raising counsel. Such campaigns may originate upon recommendation by the Board of Regents, the Chancellor, the chief administrative officer with the concurrence of the Chancellor, or the component institution development boards. No such campaign shall be authorized or undertaken, however, until the Chancellor has advised the Board of Regents of his approval or disapproval and the campaign has been approved by the Board of Regents. *Not her* ✓

2.45 Notwithstanding the provisions hereof conferring authority upon and placing responsibility with the Chancellor for fund development and fund raising, it is understood that ex-students' associations of the System component institutions may engage in fund raising for their own support through dues and payments for memberships, both annual and life. However, it is expected that no such ex-students' association will sponsor or participate in any other organized fund-raising effort without first consulting and advising with the chief administrative officer and the Chancellor, and then receiving the approval of the Board of Regents.

- 2.5 Executive Office of a Component Institution Development Board:
- 2.51 Within the office of the chief administrative officer there may be appointed by the chief administrative officer, with the approval of the appropriate Executive Vice Chancellor and the Chancellor, an executive director of the component institution development board. He<sup>is</sup> to be charged solely with fund-development activity, and subject to supervision, evaluation, and termination of employment by the chief administrative officer. ✓
- 2.52 The executive director of the component institution development board shall have such staff and such operating funds as shall be determined from time to time by budgets recommended by the chief administrative officer, endorsed by the appropriate Executive Vice Chancellor and the Chancellor, and adopted by the Board of Regents. Duties of staff members shall be established by the executive director. ✓
- 2.6 Finances.--Financial support of the component institution development board and the executive director shall be provided exclusively by the budget of the institution. Such budgets will be made through established budgetary procedures. The Board of Regents may accept gifts designated for use by the component institution development board and may make such funds available for expenditure by said board.
- 2.7 Under the provisions of Section 4 of this Chapter, a component institution development board may, but need not, have an associated internal foundation. ✓

Sec. 3. The Advisory Councils of a Component Institution.

- 3.1 Establishment and Organization:
- 3.11 With the approval of the chief administrative officer of a component institution, the appropriate Executive Vice Chancellor, the Chancellor, and the Board of Regents, any school, college, or other comparable teaching or research unit may have an

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

3.12 An advisory council shall consist of members recommended by the dean or director of the school, college, or other approved unit and appointed by the chief administrative officer of the component institution with prior specific written approval of the appropriate Executive Vice Chancellor, the Chancellor, and the Board of Regents. Initial appointments to any advisory council shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointment of the board will be for a three-year term. All terms shall officially begin on September 1.

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

3.2 Duties and Responsibilities:

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

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

administrative officer to the development board the consideration of current and long-range programs which shall secure private funds for the unit.

- 3.23 A component institution advisory council shall have responsibility within that school, college or comparable unit:
- 3.231 for studying and developing private fund needs;
  - 3.232 for coordinating and formulating plans and actively promoting support for both current and long-range programs to meet the developmental needs;
  - 3.233 for periodic reports of progress to the chief administrative officer of the component institution and the development board on the plans and programs of the advisory council; and
  - 3.234 for establishing a continuing program of collection and dissemination of information regarding gifts and endowments.
- 3.24 At periodic intervals, the dean or director shall lay before his advisory council descriptions of current development needs. *or her*
- 3.25 The work of all advisory councils shall be considered a part of the work of component institution development boards.

- 3.3 Under the provisions of Section 4 of this Chapter, an advisory council may, but need not, have an associated internal foundation.

#### Sec. 4. Internal Foundations.

- 4.1 Definition.--As used in this Chapter, the term "internal foundation" means a foundation created by resolution of the Board of Regents of The University of Texas System as set forth in Subsection 4.31. The term does not include any entity that is incorporated under the laws of Texas or any other state and does not include any entity created by testamentary or

inter vivos trusts. An internal foundation is an accounting and administrative mechanism in the name of which development boards and advisory councils may approach prospective donors. Internal foundations are under the jurisdiction and control of the Board of Regents and are governed by rules, regulations, policies and procedures promulgated by the Board.

4.2 Policies on Initiation and Operation.

4.21 An internal foundation may be established to benefit a component institution, or a school, college or other comparable teaching or research unit within a component institution upon the recommendation of a development board or an advisory council, after approval of the chief administrative officer of the component institution, the appropriate Executive Vice Chancellor, the Chancellor, and the Board of Regents.

4.22 Divisions and departments below the level of a school, college, or other comparable teaching or research unit may effectively work as separate groups within the framework of the advisory council and internal foundation which represents a school or college or comparable teaching or research unit. Provisions for the designation of special funds to be used for specific activities within the framework of the various internal foundations and advisory councils will be made in order to avoid stifling the interest and initiative of these groups.

4.23 There shall be an annual review of the activities of each internal foundation to determine its effectiveness; and, if it is unproductive for an unreasonable length of time, it shall be dissolved.

4.24 Every effort shall be made to permit a free range of initiative within the internal foundations, and their associated development boards and advisory councils, but activities must be in

conformity with policies of the Board of Regents so as to permit maximum overall achievements in fund raising throughout the System.

4.25 All internal foundation funds shall be appropriately accounted for in University endowment and restricted fund accounts. As in the case of other University funds, authorization for expenditure of all funds in internal foundation accounts is vested in the Board of Regents. Except for those funds to be spent in accordance with the terms of Regental acceptance, authorization for expenditure normally will be obtained during the annual institutional budget approval process.

*Normally, first character of word is capitalized.*

Establishment.

4.31 Standard Resolution. From and after October 24, 1980, the Board of Regents of The University of Texas System adopts the following standard resolution form with regard to the establishment and operation of internal foundations:

*+ 1 line*  
RESOLUTION OF THE BOARD OF REGENTS  
OF THE UNIVERSITY OF TEXAS SYSTEM

WHEREAS, There exists a clear and specific need for means to finance the program of (((name of school, college, or other component unit))) of The University of Texas (((name of component))), in addition to the regular budgetary provisions, and

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

IT IS NOW RESOLVED, that the Board of Regents of The University of Texas System hereby establishes the (((name))) Foundation of the (((name of school, college, or other component unit))) of The University of Texas (((name of component))).

AND FURTHER, that the purpose of the said Foundation shall be to foster the understanding and development of the programs of the (((name of school, college, or other component unit))) at The University of Texas (((name of component))), and to encourage the making of gifts to the Foundation by deed, grant, will or otherwise for any purpose appropriate to the work of the Foundation.

✓  
✓  
✓  
✓

1. The funds of the Foundation shall be devoted solely to the enrichment of the academic programs of the (((name of school, college, or other component unit))) of The University of Texas (((name of component))) and shall not be used for the ordinary operating expenses of the (((name of school, college, or other component unit))).

2. A donation to the Foundation may be made for a specific purpose and may be given in the name of the donor or other designation specified by the donor or may be given as unrestricted funds.

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

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

5. As in the case of other University funds, authorization for expenditure of all funds from the Foundation shall be vested in the Board of Regents and recommendations for such expenditures shall be made by the (((appropriate title of chief administrative officer))) through the appropriate Executive Vice Chancellor to the Chancellor and by the Chancellor to the Board of Regents of The University of Texas System.

4.32 Upon Regental approval of the standard resolution creating an internal foundation, the name of the foundation will be added to the list contained in Section 4.33 of this Chapter. The Executive Secretary to the Board of Regents shall prepare a copy of the standard resolution in appropriate form for the Chairman's signature and shall distribute a copy to the appropriate Executive Vice Chancellor, the Chancellor and to the chief administrative officer of the component institution involved.

4.33 The following internal foundations are approved:

<u>Foundation</u>	<u>Date Established</u>
← The University of Texas at Austin	✓
John Charles Townes Foundation (School of Law) <sup>1</sup>	6/27/42
Pharmaceutical Foundation of the College of Pharmacy	12/10/52
Fine Arts Foundation of the College of Fine Arts	12/1/50
Architectural Foundation of the School of Architecture	5/30/52
Genetics Foundation of the Zoology Department	3/28/52
College of Business Administra- tion Foundation	5/29/53
The Psychological Research Foundation	5/29/53
Geology Foundation of the Depart- ment of Geology	10/24/53
Engineering Foundation of the College of Engineering	3/11/55
College of Education Foundation <sup>2</sup>	12/12/76
Social Work Foundation of the School of Social Work	10/1/66

*There are all under 25 TH as is -*

<sup>1</sup>Authorization to establish by order of the Board of Regents on July 9, 1941; Resolution of Operation adopted June 27, 1942; Resolution amended October 13, 1983

<sup>2</sup>Formerly Teacher Education Foundation - 9/22/56

Let's carry forward same captions as on page VI - 11.

isn't this a  
College  
In '69 it was set  
up as School of  
so perhaps it was  
later changed  
to a "College of"  
Retain "School"

<u>Foundation</u>	<u>Date Established</u>
Communication Foundation of the <sup>3</sup> School of Communication	1/31/69 ✓
Graduate School Foundation	3/26/76
Graduate School of Library Science Foundation	6/20/69
College of Liberal Arts Foundation	7/11/80
College of Natural Sciences Foundation	7/11/80
Nursing Foundation of the School of Nursing	10/9/87
Longhorn Foundation	12/3/87
Longhorn Associates for Excellence in Women's Athletics Foundation	12/3/87
The University of Texas M.D. Anderson Cancer Center	
University Cancer Foundation	10/15/55
The University of Texas at Arlington Foundation	1/28/67
The University of Texas Medical Branch at Galveston Foundation	5/6/67
The University of Texas at El Paso Foundation	7/29/67

<sup>3</sup> Formerly the Journalism Foundation of the School of Journalism established 1/10/59

Sec. 5. Trust Foundations.

*ASSET MANAGEMENT*

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currently  
exists or  
should  
be part of  
management?*

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

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

Sec. 6. Internal Corporations.

*Now two  
separate  
divisions -  
div. of investments &  
div. of endowments &  
Trusts*

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

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

- 6.2 An internal corporation is managed pursuant to its charter and bylaws and in accordance with the Regents' Rules and Regulations.
- 6.3 The following internal corporations are presently authorized:

<u>Internal Corporations</u>	<u>Date Chartered</u>
Houston Health Science Center Foundation, Inc.	4/27/70
The Aerospace Heritage Foundation, Inc.	9/7/78
Ima Hogg Foundation, Inc.	6/26/64
The University of Texas System Medical Foundation, Inc.	10/5/73
The University of Texas at Austin School of Law Continuing Legal Education, Inc.	8/17/81
The University of Texas at Austin School of Law Publications, Inc.	8/17/81

Sec. 7. External Nonprofit Corporations.

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

Sec. 8. Conflict of Interest, Performance of Services, and Use of University Facilities.

*no changes as in Section 6.* →

8.1 Unless specifically authorized by law, no officer or employee of The University of Texas System or its component institutions shall accept remunerations from or serve as an officer, director, employee, or agent of an external non-profit corporation or an external entity that has as its primary objective the provision of funds or services for the furtherance of the purposes and duties of the System or its components. ✓

8.2 No officer or employee of The University of Texas System or its component institutions shall act as the agent for any corporation, association, organization, partnership, or individual in the negotiation of the terms or conditions of any agreement relating to the provision of funds, services, or property to the System or its components by such corporation, association, organization, partnership, or individual.

8.3 The utilization of equipment, facilities or services of employees and officers of The University of Texas System or its component institutions by an external non-profit corporation or external entity that has as its primary objective the provision of funds or services for the furtherance of the purposes and duties of the System or its components shall be permitted only in accordance with a negotiated agreement that provides for the payment of adequate compensation for such equipment, facilities or services. ✓

CHAPTER VIII

MISCELLANEOUS

Sec. 1. Naming of Buildings and Other Facilities.

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

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

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

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

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

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

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 and Environmental Design	
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	

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Full title

Short title ✓

4.39	The University of Texas at Arlington Institute of Urban Studies	U.T. Arlington Institute of Urban Studies
4.4	The University of Texas at Austin	U.T. Austin
4.41	The University of Texas at Austin School of Archi- tecture	
4.42	The University of Texas at Austin College of Liberal Arts	
4.43	The University of Texas at Austin College of Natural Sciences	
4.44	The University of Texas at Austin College of Business Administration	
4.45	The University of Texas at Austin College of Commu- nication	
4.46	The University of Texas at Austin College of Educa- tion	
4.47	The University of Texas at Austin College of Engi- neering	
4.48	The University of Texas at Austin College of Fine Arts	
4.49	The University of Texas at Austin School of Law	
4.4(10)	The University of Texas at Austin Graduate School of Library and Information Science	
4.4(11)	The University of Texas at Austin School of Nursing	
4.4(12)	The University of Texas at Austin College of Pharmacy	
4.4(13)	The University of Texas at Austin Lyndon B. Johnson School of Public Affairs	
4.4(14)	The University of Texas at Austin School of Social Work	

Full Title

Short Title ✓

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|---------|--|--------------------------------------|
| 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 School of General Studies                  |                                      |
| 4.53    | The University of Texas at Dallas School of Human Development                |                                      |
| 4.54    | The University of Texas at Dallas School of Management and Administration    |                                      |
| 4.55    | The University of Texas at Dallas School of Natural Sciences and Mathematics |                                      |
| 4.56    | The University of Texas at Dallas School of Social Sciences                  |                                      |
| 4.57    | 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                      |                                      |
| 4.63    | The University of Texas at El Paso College of Engineering                    |                                      |
| 4.64    | The University of Texas at El Paso College of Liberal Arts                   |                                      |

Full Title

Short Title ✓

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|------|---|--------------------------------------|
| 4.65 | The University of Texas at<br>El Paso College of Nursing<br>and Allied Health             |                                      |
| 4.66 | The University of Texas at<br>El Paso College of Science                                  |                                      |
| 4.67 | The University of Texas at<br>El Paso Graduate School                                     |                                      |
| 4.7  | The University of Texas of the<br>Permian Basin   | U.T. Permian<br>Basin                |
| 4.71 | The University of Texas of<br>the Permian Basin College<br>of Arts and Education          |                                      |
| 4.72 | The University of Texas of<br>the Permian Basin College<br>of Management                  |                                      |
| 4.73 | The University of Texas of<br>the Permian Basin College<br>of Science and Engineering     |                                      |
| 4.8  | The University of Texas at San<br>Antonio   | U.T. San Antonio                     |
| 4.81 | The University of Texas at<br>San Antonio College of<br>Business                          |                                      |
| 4.82 | The University of Texas at<br>San Antonio College of<br>Fine Arts and Humanities          |                                      |
| 4.83 | The University of Texas at<br>San Antonio College of<br>Social and Behavioral<br>Sciences |                                      |
| 4.84 | The University of Texas at<br>San Antonio College of<br>Sciences and Mathematics          |                                      |
| 4.85 | The University of Texas at<br>San Antonio Lutcher Center                                  | U.T. San Antonio<br>- Lutcher Center |
| 4.9  | The University of Texas at Tyler  | U.T. Tyler                           |
| 4.91 | The University of Texas at<br>Tyler School of Business<br>Administration                  |                                      |
| 4.92 | The University of Texas at<br>Tyler School of Education<br>and Psychology                 |                                      |

Full Title

Short Title ✓

4.93	The University of Texas at Tyler School of Liberal Arts	
4.94	The University of Texas at Tyler School of Sciences and Mathematics	
4.(10)	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 Southwestern Medical Center at Dallas	U.T. Southwestern Medical Center - Dallas
4.(11)1	The University of Texas Southwestern Medical School at Dallas	U.T. Southwestern Medical School - Dallas
4.(11)2	The University of Texas Southwestern Graduate School of Biomedical Sciences at Dallas	U.T. Southwestern G.S.B.S. - Dallas
4.(11)3	The University of Texas Southwestern Allied Health Sciences School at Dallas	U.T. Southwestern A.H.S.S. - Dallas
4.(12)	The University of Texas Medical Branch at Galveston	U.T. Medical Branch - Galveston
4.(12)1	The University of Texas Medical School at Galveston	U.T. Medical School - Galveston
4.(12)2	The University of Texas Graduate School of Biomedical Sciences at Galveston	U.T. G.S.B.S. - Galveston
4.(12)3	The University of Texas School of Allied Health Sciences at Galveston	U.T. Allied Health Sciences School - Galveston
4.(12)4	The University of Texas Marine Biomedical Institute at Galveston	U.T. Marine Biomedical Institute - Galveston
4.(12)5	The University of Texas Institute for the Medical Humanities at Galveston	U.T. Medical Humanities Institute - Galveston
4.(12)6	The University of Texas Hospitals at Galveston	U.T. Hospitals - Galveston

~~Full Title~~  
Full Title

~~Short Title~~  
Short Title ✓

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| 4.(12)7 | The University of Texas<br>School of Nursing<br>at Galveston                             | U.T. Nursing<br>School - Galveston                        |
| 4.(13)  | The University of Texas Health<br>Science Center at Houston                              | U.T. Health<br>Science Center - ✓<br>Houston              |
| 4.(13)1 | The University of Texas<br>Medical School at<br>Houston                                  | U.T. Medical<br>School - Houston                          |
| 4.(13)2 | The University of Texas<br>Dental Branch at Houston                                      | U.T. Dental<br>Branch - Houston                           |
| 4.(13)3 | The University of Texas<br>Graduate School of Bio-<br>medical Sciences at<br>Houston     | U.T. G.S.B.S. -<br>Houston                                |
| 4.(13)4 | The University of Texas<br>School of Allied Health<br>Sciences at Houston                | U.T. Allied<br>Health Sciences<br>School - Houston        |
| 4.(13)5 | The University of Texas<br>School of Public Health<br>at Houston                         | U.T. Public Health<br>School - Houston                    |
| 4.(13)6 | The University of Texas<br>Speech and Hearing<br>Institute at Houston                    | U.T. Speech and<br>Hearing Insti-<br>tute - Houston       |
| 4.(13)7 | The University of Texas<br>School of Nursing at<br>Houston                               | U.T. Nursing<br>School - Houston                          |
| 4.(14)  | The University of Texas Health<br>Science Center at San Antonio                          | U.T. Health<br>Science Center -<br>San Antonio            |
| 4.(14)1 | The University of Texas<br>Medical School at San<br>Antonio                              | U.T. Medical<br>School - San<br>Antonio                   |
| 4.(14)2 | The University of Texas<br>Dental School at San<br>Antonio                               | U.T. Dental<br>School - San<br>Antonio                    |
| 4.(14)3 | The University of Texas<br>Graduate School of Bio-<br>medical Sciences at<br>San Antonio | U.T. G.S.B.S. -<br>San Antonio                            |
| 4.(14)4 | The University of Texas<br>School of Allied Health<br>Sciences at San Antonio            | U.T. Allied<br>Health Sciences<br>School - San<br>Antonio |

Full Title

Short Title ✓

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| 4.(14)5 | The University of Texas<br>School of Nursing at<br>San Antonio | U.T. Nursing<br>School - San<br>Antonio |
| 4.(15)  | The University of Texas M.D. Anderson<br>Cancer Center         | U.T. M.D. Anderson<br>Cancer Center     |
| 4.(15)1 | The University of Texas<br>M.D. Anderson Hospital              | U.T. M.D. Anderson<br>Hospital          |
| 4.(15)2 | The University of Texas<br>M.D. Anderson Tumor<br>Institute    | U.T. M.D. Anderson<br>Tumor Institute   |
| 4.(15)3 | The University of Texas<br>M.D. Anderson Science Park          | U.T. M.D. Anderson<br>Science Park      |
| 4.(16)  | The University of Texas Health<br>Center at Tyler              | U.T. Health<br>Center - Tyler           |
| 4.(17)  | The University of Texas System<br>Bauer House                  | U.T. Bauer House                        |

CHAPTER IX

*↑ spacing to be same as in all other chapters ✓*

ENACTMENT AND AMENDMENT

Sec. 1. Repeal of Existing Rules in Conflict Herewith.--All rules, regulations, orders, and resolutions heretofore enacted by the Board which are in conflict with these Regents' Rules and Regulations are hereby repealed.

Sec. 2. Format for Rules.

2.1 The Regents' Rules and Regulations for the government of the System apply to and govern the Board and all officers, employees and agencies under its control.

2.2 These Regents' Rules and Regulations are organized in two parts. Part One shall, in general, contain all rules and regulations other than those of a fiscal nature. Part Two shall consist, in general, of the fiscal rules and regulations of the Board.

Sec. 3. Official Copies.

3.1 The official copies of the Regents' Rules and Regulations and ~~the Handbook of Operating Procedures for each component institution of the System~~ shall be maintained on file in the Office of the Board of Regents. (OMIT)

3.2 Copies of these Regents' Rules and Regulations and ~~of the Handbooks of Operating Procedures~~ shall be furnished to members of the Board and such other persons and offices as the Board shall designate. (OMIT)

*Are these really furnished to the Board?*

- Sec. 4. Amendment of Rules and Regulations.--The Regents' Rules and Regulations may be added to, amended, waived, or suspended by a majority of all of the members of the Board at any regular meeting or at any special meeting called for that purpose.
- Sec. 5. Distribution of Amendments.--After any change in these Regents' Rules and Regulations, the Executive Secretary to the Board shall conform the Official Copies and shall send corrected pages containing such changes for substitution in copies in the possession of members of the Board, administrative officers, or others on an official list in the Office of the Board of Regents.