

OFFICE OF THE BOARD OF REGENTS  
THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

June 30, 1994

TO: Those Who Receive RRR Amendments (List Attached)

FROM: Art Dilly *AD*

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page i	Page i
Pages II-5a through II-37	Pages 6 through 27
Pages III-9 through III-12, III-41, and III-43	Pages III-9 through III-12, III-41, III-41a, and III-43

The amendments approved at the June 9, 1994 meeting of the U. T. Board of Regents, as well as editorial amendments, have been incorporated on the revised pages.

AD/lp

Enclosures

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

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through June 9, 1994,  
and editorial amendments through June 1994  
have been issued with this cover sheet.)

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Issued June 1994

Sec. 6. Executive Vice Chancellor for Business Affairs.

The Executive 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 Subsection 6.2(10) of this Chapter. The Executive Vice Chancellor for Business Affairs provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Executive 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.

6.1 Appointment and Tenure.

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

6.2 Duties and Responsibilities.

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

- 6.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 6.22 Submitting recommendations to the Chancellor and to the appropriate Executive Vice Chancellor on business operations of the components of the System.
- 6.23 Reviewing and making recommendations on uniform business systems and management.
- 6.24 Submitting recommendations relating to programs for the most efficient management of personnel and resources.

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

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

- 6.2(11) Supervising and coordinating the acquisition and/or disposition of all nonendowment and campus lands at the component institutions and the U. T. System.
- 6.2(12) Directing the management of the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the System Administration and coordinating the building services for the System buildings.
- 6.2(13) Directing the management of the System-wide insurance programs (except the System Plan for Professional Medical Liability Self-Insurance), including approval of all policies and coverages, such programs to include:  
Fire and Extended Coverage;  
Liability;  
Health;  
Life;  
Accidental Death and  
Dismemberment;  
Income Replacement; and  
Retirement.

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

Sec. 7. Vice Chancellor for Asset Management.

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

7.1 Appointment and Tenure.

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

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



responsibility and that will be available for expenditure by the System and its component institutions.

- 7.33 Consulting with the Executive Associate for Economic Affairs with respect to the development of long-range plans for the development and management of the investments of the System and its component institutions.

7.4 Office of Endowment Real Estate.

Subject to delegation by the Vice Chancellor for Asset Management, the Executive Director of Endowment Real Estate is responsible for the management of all real estate held in the name of the Board of Regents, except for Permanent University Fund Lands and campus real estate, with a view toward maximizing the income to be realized from the operation and/or sale of these properties. In fulfilling this responsibility, the Executive Director of Endowment Real Estate will:

- 7.41 Work closely with the appropriate Executive Vice Chancellor, 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.
- 7.42 Establish procedures that insure effective coordination with the Executive Director for Endowment Management and Administration with regard to the management of trust lands other than University Lands.
- 7.43 Be responsible to the Executive Vice Chancellor for Business Affairs for the acquisition or disposal of nonendowment and campus lands.

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.

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.

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. Vice Chancellor for Development and External Relations.

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

10.1 Appointment and Tenure.

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

10.2 Duties and Responsibilities.

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

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

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

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

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

Sec. 12. Councils of the System.

12.1 The System Council.

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

12.2 The Council of Academic Institutions.

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

12.3 The Council of Health Institutions.

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



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

12.4 The Business Management Council.

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

Sec. 13. Chief Administrative Officers of Component Institutions.

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

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

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

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

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

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

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

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

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

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

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

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

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

- 13.2 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.
- 13.3 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.
- 13.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:
- 13.311 Develop and administer plans and policies for the program, organization, and operation of the institution.
- 13.312 Interpret the System policy to the staff, and interpret the institution's programs and needs to the System Administration and to the public.

- 13.313 Develop and administer policies relating to students, and where applicable, to the proper management of services to patients.
- 13.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
- 13.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.
- 13.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.
- 13.317 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.
- 13.318 Appoint, or establish procedures for the appointment of, all faculty, staff, and student committees.
- 13.319 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.
- 13.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 13.31(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.
- 13.31(12) Develop and implement plans and policies to ensure that the institution remains in compliance with any accreditation requirements appropriate to the component or its programs, including, for the health components and those academic components with student health services, the accreditation of hospitals, clinics and patient-care facilities.

**Sec. 14. Appointment of Other Officers and Staff.**

- 14.1 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.



- 14.2 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.
- 14.3 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.
- 14.4 Honorary Titles.  
The titles Chancellor Emeritus, President Emeritus and similar honorary designations shall be conferred only by appropriate action of the Board on individuals who are fully retired. No person is authorized to use any such title unless it has been bestowed by the Board.

Sec. 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.
- 2.4 Procedures for dismissal, demotion, or suspension without pay of classified personnel are provided for by the "Policies and Procedures for Discipline and Dismissal of Employees" adopted by the U. T. Board of Regents.
- 2.5 Grievances of classified employees will be considered pursuant to the "Grievance Policy and Procedures" adopted by the U. T. Board of Regents.

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 and Naturalization Service authorities to accept such employment.

Sec. 4. Code of Ethics.--All employees of the System and its component institutions shall be furnished a copy of the Standards of Conduct for State Employees, Section 572.051, Texas Government Code, and, in addition thereto, shall adhere to the following standards of conduct and other provisions of these Rules and Regulations:

- 4.1 No employee shall accept or solicit any gift, favor, or service that might reasonably tend to influence the employee in the discharge of his or her official duties or that the employee knows or should know is being offered with the intent to influence his or her official conduct.
- 4.2 No employee shall intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his or her official powers or performed his or her official duties in favor of another.
- 4.3 No employee shall accept employment or engage in any business or professional activity which the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by reason of his or her official position.

- 4.4 No employee shall disclose confidential information gained by reason of his or her official position or otherwise use such information for his or her personal gain or benefit.
- 4.5 No employee shall transact any business in his or her official capacity with any business entity of which the employee is an officer, agent, or member, or in which the employee owns a substantial interest.
- 4.6 No employee shall make personal investments which could reasonably be expected to create a substantial conflict between the employee's private interest and the public interest.
- 4.7 No employee shall accept other employment or compensation which could reasonably be expected to impair the employee's independence of judgment in the performance of the employee's public duties.
- 4.8 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 Section 573.001 et seq., Texas Government Code, no person related to any member of the Board of Regents within the second degree by affinity or within the third degree by consanguinity shall be eligible for appointment to any office, position, employment, or duty with The

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 Section 573.001 et seq., Texas Government Code, 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 30 days 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 statutory prohibition 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 the Texas Government Code, no officer, official or employee of The University of Texas System may approve, recommend, or otherwise act with regard to the appointment, reappointment, promotion, or salary of any person related to such officer, official, or employee within the second degree by affinity or the third degree by consanguinity regardless of the source of funds for payment of salary.
- 5.31 If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the above specified degree, all subsequent

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

- Sec. 31. Institutional Control and Administration of Contracts and Grants.--Facilities, equipment, or other resources of a component institution may not be utilized in the performance of a contract or grant that is not administered and controlled by the component institution. An employee who utilizes the facilities, equipment, or resources of a component institution for any purpose related to a contract or grant that is not subject to the administration and control of the component institution may not be paid a salary by the component institution until the contract or grant becomes subject to administration by the component institution or such activities are discontinued.
- Sec. 32. 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. 33. Retirement and Modified Service.
- 33.1 No person employed by the U. T. System or any component institution shall be required to retire because of age except as permitted by law. However, a licensed pilot operating an aircraft under Part 91 of the Federal Aviation Regulations may be employed as a pilot until the end of the fiscal year that includes the pilot's seventieth birthday. Upon attaining the age of sixty, the pilot must satisfactorily complete the flight physical required for his/her flight certification on a semiannual basis. Flight physicals for all U. T. System pilots will be conducted by a certified flight surgeon employed at one of the health institutions of the U. T. System. In the event there is no certified flight surgeon on staff at one of the health institutions of the U. T. System, the flight physical will be conducted, at U. T. System expense, by a certified flight surgeon designated by one of the health institutions of the U. T. System.

- 33.2 The Board of Regents, upon the recommendation of the appropriate Executive Vice Chancellor, Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint a person who has retired to modified service. Retirement is defined as withdrawal from employment with The University of Texas System or a component institution with a retirement benefit.
- 33.3 Recommendation for, and appointment to, modified service shall be made only if the service of the individual will result in a significant benefit to the System or a particular component institution.



- 34.3 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.
- 34.31 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 a statement 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.
- 34.32 If the chief administrative officer of the institution, or his or her designated delegate, determines that the statements required above are false, registration shall be denied, or if it is determined that such statements have become false during any period of registration, such registration shall be cancelled.
- 34.4 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.

March 9, 1994

Distribution List for Official Copies of  
Regents' Rules and Regulations

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

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

March 9, 1994

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

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

Mr. James P. Oliver  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

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

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

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

\*\*\*\*\*

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

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REPORT AND RECOMMENDATIONS OF THE BUSINESS AFFAIRS AND AUDIT COMMITTEE (Pages 48 - 63).--Committee Chairman Loeffler reported that the Business Affairs and Audit Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Business Affairs and Audit Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. System: Approval of Chancellor's Docket No. 76 (Catalog Change).--Upon recommendation of the Business Affairs and Audit Committee, the Board approved Chancellor's Docket No. 76 in the form distributed by the Executive Secretary. It is attached following Page 223 in the official copies of the Minutes and is made a part of the record of this meeting.

It was expressly authorized that any contracts or other documents or instruments approved therein had been or shall be executed by the appropriate officials of the respective institution involved.

It was ordered that any item included in the Docket that normally is published in the institutional catalog be reflected in the next appropriate catalog published by the respective institution.

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter II, Section 6 (Executive Vice Chancellor for Business Affairs) and Section 11 (Other Code 1000 Staff and Officers of System Administration).--Approval was given to amend the Regents' Rules and Regulations, Part One, Chapter II as set forth below:

- a. Section 6 was amended to read as follows:

Sec. 6. Executive Vice Chancellor for Business Affairs.

The Executive 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 Subsection 6.2(10) of this Chapter. The Executive Vice Chancellor for Business Affairs provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Executive 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.

6.1 Appointment and Tenure.

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

6.2 Duties and Responsibilities.

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

- 6.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 6.22 Submitting recommendations to the Chancellor and to the appropriate Executive Vice Chancellor on business operations of the components of the System.
- 6.23 Reviewing and making recommendations on uniform business systems and management.
- 6.24 Submitting recommendations relating to programs for the most efficient management of personnel and resources.
- 6.25 Submitting recommendations for program development for training of personnel in nonacademic areas.
- 6.26 Reviewing and making recommendations on programs of long-range planning for physical facilities and financial resources.
- 6.27 Reviewing and making recommendations relating to police and security matters within the System.
- 6.28 Coordinating the business affairs of the System with other officers and members of the System Administration staff.
- 6.29 In consultation with the appropriate Executive Vice Chancellor, coordinating the activities of business administrative operations of the component institutions.

- 6.2(10) Managing the operations of the offices listed below through such internal administrative organization as he/she deems to be appropriate:  
 Office of the Associate Vice Chancellor for Business Affairs  
     Office of Historically Underutilized Business Development  
     Office of the Director of Police  
 Office of the Assistant Vice Chancellor and Controller  
     Budget Office  
     Office of Management Information Systems  
     Office of Information Services  
     Office of Business and Administrative Services  
     Director of Accounting regarding System Administration accounts  
 Office of the Assistant Vice Chancellor for Finance  
     Office of Facilities Planning and Construction  
     Office of Finance  
     Office of Endowment Real Estate regarding non-endowment and campus real estate  
 System Personnel Office  
 Office of Employee Group Insurance Program  
 Office of West Texas Lands Management  
     University Lands Accounting Office  
     Surface Interests  
     Oil, Gas & Mineral Interests.
- 6.2(11) Supervising and coordinating the acquisition and/or disposition of all nonendowment and campus lands at the component institutions and the U. T. System.
- 6.2(12) Directing the management of the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the System Administration and coordinating the building services for the System buildings.

- 6.2(13) Directing the management of the System-wide insurance programs (except the System Plan for Professional Medical Liability Self-Insurance), including approval of all policies and coverages, such programs to include:  
 Fire and Extended Coverage; Liability; Health; Life; Accidental Death and Dismemberment; Income Replacement; and Retirement.
- 6.2(14) Implementing policy for the receipt, disbursement, and custody of funds; for terms of depository agreements with banks; and for custody of bearer securities owned by System funds that are maintained in bank safety deposit boxes and are not in custody with the State Treasurer.
- 6.2(15) Forwarding debt issues for approval by the Board of Regents following the concurrence of the Vice Chancellor for Asset Management.
- 6.2(16) Performing such other duties as may be assigned by the Chancellor.

b. Present Subsection 6.3 was deleted in its entirety.

**NOTE:** This subsection contained the detailed job descriptions of several officers reporting to the Executive Vice Chancellor for Business Affairs. These job descriptions will now be on file in the System Personnel Office as required in Item c. below.

c. Section 11 was amended to read as follows:

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

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

The amendments to Section 6 are intended to reflect a reorganization of those areas of responsibility of the Executive Vice Chancellor for Business Affairs.

Section 11 was amended to reflect the requirement that appropriate job descriptions be on file with the System Personnel Office.

3. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendments to Chapter III, Section 5, Subsection 5.2, Subdivision 5.21 (Appointment of Relatives (Nepotism Rule)).--The Board, upon recommendation of the Business Affairs and Audit Committee, amended the Regents' Rules and Regulations, Part One, Chapter III, Section 5, Subsection 5.2, Subdivision 5.21 regarding the appointment of relatives (nepotism rule) to read as set forth below:

5.21 Section 573.001 et seq., Texas Government Code, 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 30 days 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.

This amendment denotes reference to the codification of former Article 5996a of Vernon's Civil Statutes in the Texas Government Code and amends the period of continuous employment required for relatives of appointed officials such as members of the U. T. Board of Regents to be consistent with the 30-day period included in the Texas Government Code.

4. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Authorization to Amend Chapter III, Section 33, Subsection 33.1 (Retirement and Modified Service).--In order to permit The University of Texas System to employ aircraft pilots until the age of 70, authorization was given to amend the Regents' Rules and Regulations, Part One, Chapter III, Section 33, Subsection 33.1 regarding retirement and modified service to read as set forth below:

Sec. 33. Retirement and Modified Service.

33.1 No person employed by the U. T. System or any component institution shall be required to retire because of age except as permitted by law. However, a licensed pilot operating an aircraft under Part 91 of the Federal Aviation Regulations may be employed as a pilot



until the end of the fiscal year that includes the pilot's seventieth birthday. Upon attaining the age of sixty, the pilot must satisfactorily complete the flight physical required for his/her flight certification on a semi-annual basis. Flight physicals for all U. T. System pilots will be conducted by a certified flight surgeon employed at one of the health institutions of the U. T. System. In the event there is no certified flight surgeon on staff at one of the health institutions of the U. T. System, the flight physical will be conducted, at U. T. System expense, by a certified flight surgeon designated by one of the health institutions of the U. T. System.

5. U. T. Board of Regents - Regents' Rules and Regulations, Part Two: Amendments to Chapter VII, Section 2, Subsection 2.3 (Inventories), Section 3, Subsection 3.6 (Motor Vehicles), Section 7 (Telephones), and Section 10, Subsections 10.6 and 10.7 (Disposition of Abandoned and Unclaimed Personal Property). --Upon recommendation of the Business Affairs and Audit Committee, the Board amended the Regents' Rules and Regulations, Part Two, Chapter VII, Section 2, Subsection 2.3 (Inventories), Section 3, Subsection 3.6 (Motor Vehicles), Section 7 (Telephones), and Section 10, Subsections 10.6 and 10.7 (Disposition of Abandoned and Unclaimed Personal Property) to read as set forth below:

**Sec. 2. Inventories.**

*Amended 6/23*

2.3 Inventories as of August 31 include all equipment on hand as defined by the General Services Commission under the State Purchasing and General Services Act. Items that are worn out or discarded shall be deleted in accordance with the regulations of the General Services Commission.

**Sec. 3. Motor Vehicles.**

*Amended 6/23*

3.6 Each component institution shall be cognizant of and render reports on operation of motor vehicles as required by the current Appropriations Act.

*Amended 6/23*

**Sec. 7. Telephones.**--The director of information services, the director of physical plant, the chief business officer, or other person designated by the chief administrative officer shall be responsible for the installation of telephones and the administration of all telephone facilities. Personal toll calls shall not be charged to institutional telephones. Charges for telephones and toll calls shall be pursuant to approved institutional policy included in the Handbook of Operating Procedures.

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 64 - 91).--Committee Chairman Holmes reported that the Academic Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

- Minutes  
1/18/44
1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 34, Subsection 34.3 (Faculty and Staff Organizations).--In order to remove unnecessarily strict language concerning the filing of an affidavit by registered faculty and staff organizations, the Board, upon recommendation of the Academic Affairs and Health Affairs Committees, amended the Regents' Rules and Regulations, Part One, Chapter III, Section 34, Subsection 34.3 regarding faculty and staff organizations to read as set forth below:

Sec. 34. Faculty and Staff Organizations.

34.3 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.

34.31 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 a statement 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.

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

OFFICE OF THE BOARD OF REGENTS  
THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

BOARD OF REGENTS  
RECEIVED

JUN 03 1994  
U.T. SYSTEM

May 27, 1994

TO: Mrs. Francie Frederick  
FROM: Margaret Glover *mg*  
SUBJECT: Statutory Citations in the Regents' Rules and Regulations

*copy - will pick  
up these edits  
as editorial  
amendments  
to RR -  
6/6  
mg*

Per your note to Mr. Dilly dated April 8, 1994, regarding "1993 Legislative Changes to Statutory Cites," we have conducted a search of the Regents' Rules and Regulations, Parts One and Two related to some statutory citations.

At your convenience, please review the attached pages from Parts One and Two of the Regents' Rules and so note whether the highlighted statutory references need to be amended or if they stay "as is."

If any of these references need to be edited, we can pick up as editorial amendments in the RRR.

Many thanks.

attachments

*Margaret  
also see the  
11-9 (Part One)  
and  
11-4 (Part Two)  
attached (at end)  
77  
6/1/94*

Sec. 4. Code of Ethics.--All employees of the System and its component institutions shall be furnished a copy of the Standards of Conduct for State Employees, ~~Section 8 of Article 6252-9b, Texas Revised Civil Statutes~~ and, in addition thereto, shall adhere to the following standards of conduct and other provisions of these Rules and Regulations:

- 4.1 No employee shall accept or solicit any gift, favor, or service that might reasonably tend to influence the employee in the discharge of his or her official duties or that the employee knows or should know is being offered with the intent to influence his or her official conduct.
- 4.2 No employee shall intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his or her official powers or performed his or her official duties in favor of another.
- 4.3 No employee shall accept employment or engage in any business or professional activity which the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by reason of his or her official position.

*Section  
572.051,  
Texas  
Government  
Code*

- 4.4 No employee shall disclose confidential information gained by reason of his or her official position or otherwise use such information for his or her personal gain or benefit.
- 4.5 No employee shall transact any business in his or her official capacity with any business entity of which the employee is an officer, agent, or member, or in which the employee owns a substantial interest.
- 4.6 No employee shall make personal investments which could reasonably be expected to create a substantial conflict between the employee's private interest and the public interest.
- 4.7 No employee shall accept other employment or compensation which could reasonably be expected to impair the employee's independence of judgment in the performance of the employee's public duties.
- 4.8 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

*has  
changed by  
June  
of 1968  
(see act  
chgs on  
page 11  
as.)*

*Texas Government  
Code, Section  
573.001  
et seq.)*

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.

*Section 573.001 et seq. / Texas Government Code / being amended per 6/94 agenda*

*(11)*

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

*Statutory*

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.

*statutory*

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.

*11*

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

*the Texas Government Code*

actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by the component institution's Personnel Director in the case of classified employees or the chief administrative officer in the case of faculty or nonclassified employees.

5.32 If the appointment, reappointment, or promotion of a person places him or her in an administrative or supervisory position with responsibility to approve, recommend or otherwise act with regard to the appointment, promotion, or salary of a person who is related to them within the degree prohibited by ~~Article 5996a~~, all subsequent actions regarding the reappointment, promotion, or salary of such person shall be made by the next highest administrator or supervisor at the component institution or The University of Texas System.

5.33 It shall be the responsibility of the administrator or supervisor acting pursuant to Subsection 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 Subsection 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 Subsection 5.31 shall be reported annually through the institution's docket or with the annual operating budget.

*the Texas Government Code*

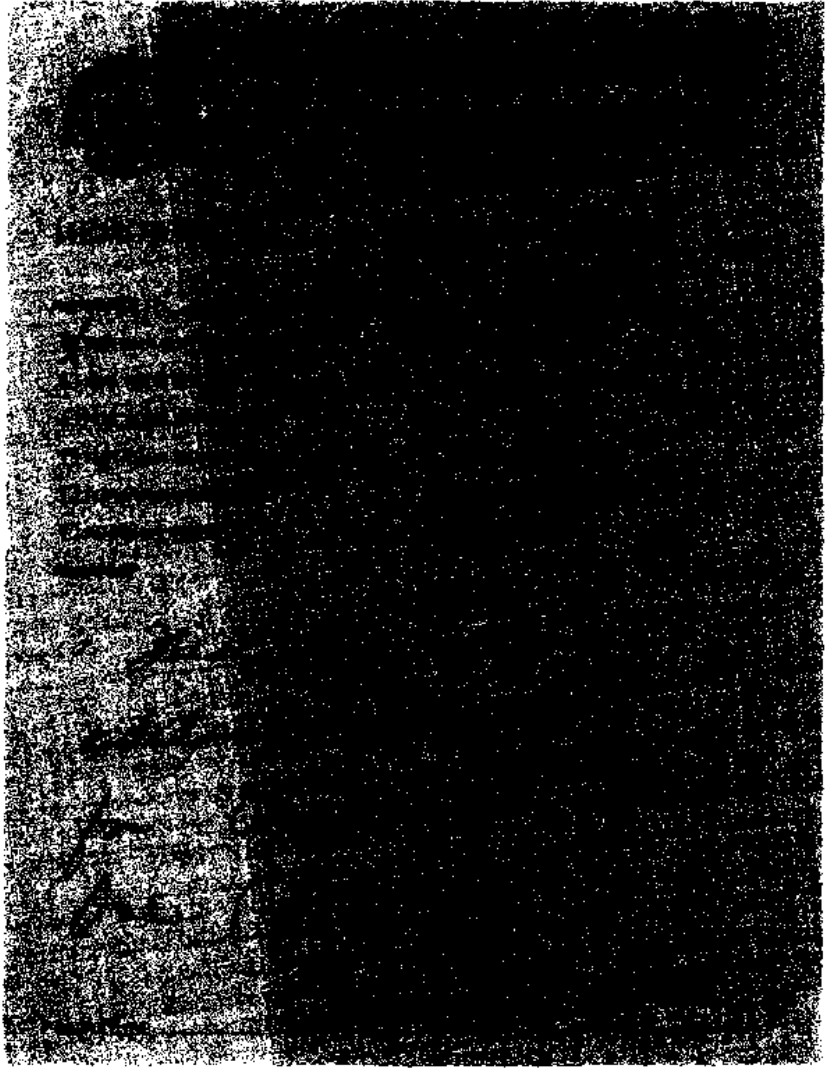
*10/10/10*

OK

staff - Fiji & return

I will pick up these editorial amendments to R.R. in the next batch of R.R. amendments (we will have several R.R. amendments on 6/9 agenda).

MJ  
5/5





BOARD OF REGENTS  
RECEIVED

April 11, 1991

MAY 05 1994

U. I. SYSTEM

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.
- 2.4 Procedures for dismissal, demotion, or suspension without pay of classified personnel are provided for by the "Policies and Procedures for Discipline and Dismissal of Employees" adopted by the U. T. Board of Regents.
- 2.5 Grievances of classified employees will be considered pursuant to the "Grievance Policy and Procedures" adopted by the U. T. Board of Regents.

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.

*and  
Naturalization  
Service*

Sec. 4. Code of Ethics.--All employees of the System and its component institutions shall be furnished a copy of the Standards of Conduct for State Employees, ~~Section 8 of Article 6252-9b, Texas Revised Civil Statutes~~ and, in addition thereto, shall adhere to the following standards of conduct and other provisions of these Rules and Regulations:

- 4.1 No employee shall accept or solicit any gift, favor, or service that might reasonably tend to influence the employee in the discharge of his or her official duties or that the employee knows or should know is being offered with the intent to influence his or her official conduct.
- 4.2 No employee shall intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his or her official powers or performed his or her official duties in favor of another.
- 4.3 No employee shall accept employment or engage in any business or professional activity which the employee might reasonably expect would require or induce the employee to disclose confidential information acquired by reason of his or her official position.

*Section  
572.051,  
Texas  
Government  
Code*

- 4.4 No employee shall disclose confidential information gained by reason of his or her official position or otherwise use such information for his or her personal gain or benefit.
- 4.5 No employee shall transact any business in his or her official capacity with any business entity of which the employee is an officer, agent, or member, or in which the employee owns a substantial interest.
- 4.6 No employee shall make personal investments which could reasonably be expected to create a substantial conflict between the employee's private interest and the public interest.
- 4.7 No employee shall accept other employment or compensation which could reasonably be expected to impair the employee's independence of judgment in the performance of the employee's public duties.
- 4.8 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

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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.

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- 5.21 (11) 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.

7

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.

*Texas  
Government  
Code  
Section  
573.001  
et seq.*

5.31 If the appointment, reappointment, or promotion of a person places him or her under an administrative supervisor related within the above specified degree, all subsequent

actions with regard to reappointment, promotion, or salary shall be the responsibility of the next highest administrative supervisor. It shall also be the responsibility of the next highest administrator to make a written review of the work performance of such employee at least annually and submit each review for approval or disapproval by the component institution's Personnel Director in the case of classified employees or the chief administrative officer in the case of faculty or nonclassified employees.

5.32 If the appointment, reappointment, or promotion of a person places him or her in an administrative or supervisory position with responsibility to approve, recommend or otherwise act with regard to the appointment, promotion, or salary of a person who is related to them within the degree prohibited by Article 5996a, all subsequent actions regarding the reappointment, promotion, or salary of such person shall be made by the next highest administrator or supervisor at the component institution or The University of Texas System.

*Subdivisions*  
*above*  
*to*  
*cross*

5.33 It shall be the responsibility of the administrator or supervisor acting pursuant to ~~Subsection~~ 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.

*Subdiv* 5.34 ✓

The provisions of ~~Subsection~~ 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 ~~Subsection~~ 5.31 shall be reported annually through the institution's docket or with the annual operating budget.

Editorial Amendment  
Issued July 1992

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

MEMORANDUM

May 9, 1994

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page III-41	Page III-41

The amendments approved at the April 14, 1994 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AD/lp

Enclosures

*Official Copy*  
April 14, 1994

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

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through April 14, 1994,  
have been issued with this cover sheet.)

- Sec. 31. Institutional Control and Administration of Contracts and Grants.--Facilities, equipment, or other resources of a component institution may not be utilized in the performance of a contract or grant that is not administered and controlled by the component institution. An employee who utilizes the facilities, equipment, or resources of a component institution for any purpose related to a contract or grant that is not subject to the administration and control of the component institution may not be paid a salary by the component institution until the contract or grant becomes subject to administration by the component institution or such activities are discontinued.
- Sec. 32. 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. 33. Retirement and Modified Service.
- 33.1 No person employed by the U. T. System or any component institution shall be required to retire because of age except as permitted by law. A pilot shall not be employed beyond the end of the fiscal year that includes the pilot's sixty-fifth birthday.
- 33.2 The Board of Regents, upon the recommendation of the appropriate Executive Vice Chancellor, Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint a person who has retired to modified service. Retirement is defined as withdrawal from employment with The University of Texas System or a component institution with a retirement benefit.
- 33.3 Recommendation for, and appointment to, modified service shall be made only if the service of the individual will result in a significant benefit to the System or a particular component institution.



March 9, 1994

Distribution List for Official Copies of  
Regents' Rules and Regulations

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

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

March 9, 1994

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

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

Mr. James P. Oliver  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

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

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

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

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

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

\*\*\*\*\*

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

REPORT AND RECOMMENDATIONS OF THE BUSINESS AFFAIRS AND AUDIT COMMITTEE (Pages 15 - 34).--Committee Chairman Loeffler reported that the Business Affairs and Audit Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Business Affairs and Audit Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. System: Approval of Chancellor's Docket No. 75 (Catalog Change).--Upon recommendation of the Business Affairs and Audit Committee, the Board approved Chancellor's Docket No. 75 in the form distributed by the Executive Secretary. It is attached following Page 145 in the official copies of the Minutes and is made a part of the record of this meeting.

It was expressly authorized that any contracts or other documents or instruments approved therein had been or shall be executed by the appropriate officials of the respective institution involved.

It was ordered that any item included in the Docket that normally is published in the institutional catalog be reflected in the next appropriate catalog published by the respective institution.

MINUTES  
4/19/94

2. U. T. Board of Regents: Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 33, Subsection 33.1 (Retirement and Modified Service).--On December 31, 1993, Congress repealed 29 U.S.C. Section 623 that provided authority for mandatory retirement ages for law enforcement officers pursuant to the Age Discrimination in Employment Act. In order to reflect the change in federal law, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 33, Subsection 33.1 regarding retirement and modified service to read as set forth below:

Sec. 33. Retirement and Modified Service.

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

The age limitation on airplane pilots is based upon the Federal Aviation Administration restriction placed on commercial airlines and has been upheld by the federal courts as a bona fide occupational requirement for pilots employed by state agencies.

5-11-1994

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

**MEMORANDUM**

March 7, 1994

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page ii	Page ii
Pages I-20, I-21, and I-24	Pages I-20, I-21, and I-24
Pages III-27, III-28, and III-44	Pages III-27, III-28, III-44, and III-45
Page IV-3	Page IV-3
	Page VI-1a

The amendments approved at the February 10, 1994 meeting of the U. T. Board of Regents, as well as editorial amendments, have been incorporated on the revised pages.

AD/lp

Enclosures

June 23, 1993

Distribution List for Official Copies of  
Regents' Rules and Regulations

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

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

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June 23, 1993

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

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

Mr. James P. Oliver  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
The University of Texas at Austin  
Main Building 2108  
11400  
FACULTY MAIL

Ms. Sally Reynolds  
Director  
Legislative Reference Library  
Room 207-B, Capitol Building  
Austin, Texas 78711  
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Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

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

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

\*\*\*\*\*

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

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

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through February 10, 1994,  
and editorial amendments through March 1994  
have been issued with this cover sheet.)

<u>Chapter</u>		<u>Page</u>
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	7. Rights and Responsibilities of Faculty Members as Citizens and as Teachers.....	III-27
	8. The Greater Duties of a Member of the Teaching Staff.....	III-29
	9. Acquaintance with, Conformity to, Availability and Improvement of Regulations.....	III-30
10.	Communications, Appeals, and Hearings.....	III-30
11.	Communications with the Legislature and Other State Agencies or Officials.....	III-31
12.	Office Hours.....	III-32
13.	Outside Employment.....	III-32
14.	Holidays.....	III-34
15.	Vacation.....	III-34
16.	Leaves of Absence Without Pay.....	III-35
17.	Faculty Development Leaves.....	III-36
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19.	Division of Salaries for Staff Engaged in Teaching and Nonteaching Activities.....	III-36
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26.	Sectarian Courses Prohibited.....	III-39
27.	Acceptance of Money from Students.....	III-39
28.	Power to Authorize Expenditures Out of System Funds.....	III-40
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30.	Power to Bind the System in Fixing its Policies.....	III-40
31.	Institutional Control and Administration of Contracts and Grants.....	III-41
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33.	Retirement and Modified Service.....	III-41
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V.	Graduate Education in The University of Texas System	V-1



before the date of such appearance and unless the Chairman of the Board, or a majority of the whole Board, shall approve the request. It is understood, however, that the chief administrative officer, or his or her delegate, and/or the president of the students' association, or his or her delegate, may appear without prior notice or request before the Board or any committee whenever the matter under consideration directly affects the component institution represented by such person. Persons requesting to appear must identify the subject of their remarks, which must be directly related to a matter on the Agenda for consideration by the Board. Whenever time and other circumstances permit, the person making the request shall first consult with the chief administrative officer, or his or her delegate, of such institution regarding the purpose of the appearance prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board shall provide a written statement of the substance of such person's presentation to the Board, and 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. Any person appearing before the Board or a committee shall be subject to restrictions on time, place and manner as may be prescribed by the Chairman or a majority of the Board or by the Chairman or a majority of a committee. The Chairman or a majority of the Board may prescribe sanctions against any person exceeding established time, place or manner limits; disrupting a meeting of the Board or a committee of the Board; or violating any provision of the Regents' Rules and Regulations. Sanctions may include the refusal to allow such person to speak again to the Board or committees of the Board for up to one year.

8.53

All official material to be distributed to the Regents shall be transmitted through the Office of the Board of Regents. Copies of all official communications from administrative 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. The regular channel of communication from the faculty, staff, students and administration to the Board is through the chief administrative officer of the institution involved, the appropriate Executive Vice Chancellor and the Chancellor. A copy of any communication sent directly to a Board member should be furnished to the Chancellor, the appropriate Executive Vice Chancellor and to the chief administrative officer of the institution involved.

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

8.54

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

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

Editorial Amendment  
Issued March 1994

teaching specialty was  
arbitrary and unreason-  
able.

No other issues shall be heard or  
considered by the hearing commit-  
tee.

- 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 of Faculty Members as Citizens and as Teachers.

- 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.

34.5 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.

34.6 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. 35. Political Activities.--The Board recognizes the right of a member of the faculty or staff to participate in political activities provided such activities are not conducted during work hours unless the faculty or staff member uses accrued compensatory or vacation leave; are in compliance with the Constitution and laws of the State of Texas; do not interfere with the discharge and performance of an employee's duties and responsibilities; do not involve the use of equipment, supplies, or services of the System or a component institution; do not involve the impermissible use of System or component facilities; do not involve the attempt to coerce students, faculty, or staff to participate in or support the political activity; and do not involve the System or a component institution in partisan politics. With the interest of the System or a component institution being given first consideration, a leave of absence without pay pursuant to Subsection 16.2 of this Chapter, may--but need not--be granted to a member of the faculty or staff to participate in political activities. However, a leave of absence without pay shall not be granted to a member of the faculty or staff of the System or a component institution for the purpose of being a candidate for an elective public office, holding an

elective public office, or directing the political campaign of a candidate for an elective public office. A member of the faculty or staff who wishes to engage in political activity that will interfere with the performance of his or her duties and responsibilities should voluntarily terminate employment. If the chief administrative officer of the component institution, the Chancellor, an Executive Vice Chancellor, or the Board finds that the faculty or staff member's political activity interferes with the performance of his or her duties and responsibilities or does not comply with the requirements of this subsection, the faculty or staff member shall be subject to appropriate disciplinary action, including termination.

Sec. 36. Staff Benefits.--For other staff benefits, see Part Two hereof.

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

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



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

WELCOME BY CHARLES A. LEMAISTRE, M.D., PRESIDENT OF THE UNIVERSITY OF TEXAS M.D. ANDERSON CANCER CENTER.--Chairman Rapoport stated that the Board was very pleased to be meeting at The University of Texas M.D. Anderson Cancer Center and called on Charles A. LeMaistre, M.D., President of the host institution, for any welcoming remarks.

On behalf of the faculty and staff of the U. T. M.D. Anderson Cancer Center, President LeMaistre welcomed the members of the Board and other guests to Houston.

U. T. BOARD OF REGENTS: APPROVAL OF MINUTES OF REGULAR MEETING HELD ON DECEMBER 2, 1993.--Upon motion of Vice-Chairman Temple, seconded by Vice-Chairman Lebermann, the Minutes of the regular meeting of the Board of Regents of The University of Texas System held on December 2, 1993, in Brownsville, Texas, were approved as distributed by the Executive Secretary. The official copy of these Minutes is recorded in the Permanent Minutes, Volume XLI, Pages 380 - 787.

#### SPECIAL ITEMS

- MINUTES  
2/10/94*
1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter I, Section 8, Subsection 8.5, Subdivision 8.53 (Communications by and to the Board); Chapter IV, Section 3 (Faculty Advisory Council); and Chapter VI, Section 1, Subsection 1.6 (Student Advisory Group).--To formalize the continuing appointment of the Faculty Advisory Council and the Student Advisory Group within The University of Texas System, approval was given to amend the Regents' Rules and Regulations, Part One, Chapters I, IV, and VI as set forth below:
    - a. Subdivision 8.53 of Chapter I, Section 8, Subsection 8.5 was amended to read as follows:

8.53 All official material to be distributed to the Regents shall be transmitted through the Office of the Board of Regents. Copies of all official communications from administrative 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. The regular channel of communication from the faculty, staff, students and administration to the Board is through the chief administrative officer of the institution involved, the appropriate Executive Vice Chancellor and the Chancellor. A copy of any communication sent directly to a Board member should be furnished to the Chancellor, the appropriate Executive Vice Chancellor and to the chief administrative officer of the institution involved.

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

Communications from the Faculty Advisory Council and the Student Advisory Group to the Board are through the Chancellor.

- b. A new Section 3 to Chapter IV was added to read as follows:

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

- c. A new Subsection 1.6 to Chapter VI, Section 1 was added to read as follows:

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

MINUTES  
2/10/54

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 7 (Rights and Responsibilities as a Citizen and as a Teacher) and Section 35 (Political Activities). --In order to clarify the terms and conditions applicable to political activities by faculty or staff members within The University of Texas System, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 7 (Rights and Responsibilities as a Citizen and as a Teacher) and Section 35 (Political Activities) as set forth below:

a. Section 7 was amended to read as follows:

Sec. 7. Rights and Responsibilities of Faculty Members as Citizens and as Teachers.

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.

b. Present Subsection 7.4 of Section 7 was deleted in its entirety.

c. A new Section 35 was added to read as follows:

Sec. 35. Political Activities. --The Board recognizes the right of a member of the faculty or staff to participate in political activities provided such activities are not conducted during work hours unless the faculty or staff member uses accrued compensatory or vacation leave; are in compliance with the Constitution and laws of the State of Texas; do not interfere with the discharge and performance of an employee's duties and responsibilities; do not involve the use of equipment, supplies, or services of the System or a component institution; do not involve the impermissible use of System or component facilities; do not involve the attempt to coerce students, faculty, or staff to participate in or support the political activity; and do not involve the System or a component institution in partisan politics. With the interest of the System or a component institution being given first consideration, a leave

of absence without pay pursuant to Subsection 16.2 of this Chapter, may--but need not--be granted to a member of the faculty or staff to participate in political activities. However, a leave of absence without pay shall not be granted to a member of the faculty or staff of the System or a component institution for the purpose of being a candidate for an elective public office, holding an elective public office, or directing the political campaign of a candidate for an elective public office. A member of the faculty or staff who wishes to engage in political activity that will interfere with the performance of his or her duties and responsibilities should voluntarily terminate employment. If the chief administrative officer of the component institution, the Chancellor, an Executive Vice Chancellor, or the Board finds that the faculty or staff member's political activity interferes with the performance of his or her duties and responsibilities or does not comply with the requirements of this subsection, the faculty or staff member shall be subject to appropriate disciplinary action, including termination.

d. Present Section 35 was renumbered as Section 36.

U. T. SYSTEM: PROGRESS REPORT ON ACTIVITIES RELATED TO THE SOUTH TEXAS/BORDER INITIATIVE PROGRAM.--Prior to recessing for the meetings of the Standing Committees, Chairman Rapoport requested a brief report on the activities related to the implementation of The University of Texas System South Texas/Border Initiative program.

In response to Chairman Rapoport's request, Chancellor Cunningham reported that considerable progress has been made in the ongoing development of academic programs and the planning of new facilities within the institutions which are part of the South Texas/Border Initiative program. He then called on Dr. Mario J. Gonzalez, Associate Vice Chancellor for South Texas/Border Area Development, for a few comments.

Dr. Gonzalez reported that the current activities related to the implementation of the U. T. System South Texas/Border Initiative program are moving forward on schedule and noted there has been a steady stream of activity in the development of academic programs in the last few months. In the area of facilities development, Dr. Gonzalez noted that these construction projects are coming before the Board as quickly as effective planning will allow. He pointed out that Chancellor Cunningham has made presentations to the Mexican-American Legislative Caucus on a regular basis and has stressed that the Board of Regents is very interested and committed to this program. Dr. Gonzalez concluded by stating that he planned to give more significant progress reports at future meetings of the Board.

Chairman Rapoport thanked Drs. Cunningham and Gonzalez for their comments and reemphasized the Board's commitment to the South Texas/Border Initiative program.

*14/6*  
*Please discuss with me - in context of an editorial change to resolve all our signature delegation problems*  
*1/4/94*  
*12/22*

Executive Associate for Economic Affairs.

The Executive Associate for Economic Affairs is appointed 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.

The Executive Associate conceives and develops long-range plans and policies 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 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. *IN ADDITION TO THE AUTHORIZATIONS*

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;

*Editorial Amendment*  
*1/4/94*

*12/22/93*

Editorial Amendment  
Issued May 1992  
*March 1994*

= 148

7  
12/20  
11:30  
P

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

**MEMORANDUM**

December 20, 1993

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Pages I-20 through I-23	Pages I-20 through I-23

The amendments approved at the December 2, 1993 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AD/lp

Enclosures

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

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through December 2, 1993,  
have been issued with this cover sheet.)



before the date of such appearance and unless the Chairman of the Board, or a majority of the whole Board, shall approve the request. It is understood, however, that the chief administrative officer, or his or her delegate, and/or the president of the students' association, or his or her delegate, may appear without prior notice or request before the Board or any committee whenever the matter under consideration directly affects the component institution represented by such person. Persons requesting to appear must identify the subject of their remarks, which must be directly related to a matter on the Agenda for consideration by the Board. Whenever time and other circumstances permit, the person making the request shall first consult with the chief administrative officer, or his or her delegate, of such institution regarding the purpose of the appearance prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board shall provide a written statement of the substance of such person's presentation to the Board, and 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. Any person appearing before the Board or a committee shall be subject to restrictions on time, place and manner as may be prescribed by the Chairman or a majority of the Board or by the Chairman or a majority of a committee. The Chairman or a majority of the Board may prescribe sanctions against any person exceeding established time, place or manner limits; disrupting a meeting of the Board or a committee of the Board; or violating any provision of the Regents' Rules and Regulations. Sanctions may include the refusal to allow such person to speak again to the Board or committees of the Board for up to one year.

8.53

All official material to be distributed to the Regents shall be transmitted through the Office of the Board of Regents. Copies of all official communications from administrative 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. The regular channel of communication from the faculty, staff, students and administration to the Board is through the chief administrative officer of the institution involved, the appropriate Executive Vice Chancellor and the Chancellor. A copy of any communication sent directly to a Board member should be furnished to the Chancellor, the appropriate Executive Vice Chancellor and to the chief administrative officer of the institution involved.

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

8.54

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 Chancellor. All docket items from the component institutions must be received by the System Administration not less than twenty-one days prior to the next regular scheduled meeting for inclusion on the docket for that meeting. The Chancellor's Docket shall be distributed by the Executive Secretary to all members of the Board ten days before the Board convenes, together with a ballot to be returned seven days thereafter. The ballot will read: "Approved, except as to

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

8.55

A description of all matters to be considered by the Board or a standing committee of the Board at any meeting shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and to designated officials at least five days in advance of the meeting at which they are to be considered, and insofar as possible, such material shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and the designated officials at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the need for action thereon, and the recommendations of the Chancellor. Where contractual awards are involved, the summary shall show the method of competition, if any, the names and offers of all interested parties, and generally sufficient information to show the reasons for and fairness of each transaction. The recommendations of the Chancellor shall state whether they are fully concurred in by any Executive Vice Chancellor 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.

Distribution List for Official Copies of  
 Regents' Rules and Regulations

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

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

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

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

Mr. James P. Oliver  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
The University of Texas at Austin  
Main Building 2108  
11400  
FACULTY MAIL

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

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

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

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

\*\*\*\*\*

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

with the Texas Education Agency for fifteen years. President Berdahl reported that Dr. Hill will be responsible for all aspects of diversity related to recruitment and retention of undergraduate students and will be actively involved in the University's outreach and community efforts.

Dr. Hill commented that he was very excited about his new position and looked forward to his association with The University of Texas System.

U. T. BOARD OF REGENTS: APPROVAL OF MINUTES OF REGULAR MEETING HELD ON OCTOBER 8, 1993.--Upon motion of Vice-Chairman Temple, seconded by Regent Ramirez, the Minutes of the regular meeting of the Board of Regents of The University of Texas System held on October 8, 1993, in Dallas, Texas, were approved as distributed by the Executive Secretary. The official copy of these Minutes is recorded in the Permanent Minutes, Volume XLI, Pages 1 - 379.

#### SPECIAL ITEM

*MINUTES  
12-2-93*

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter I, Section 8, Subsection 8.5, Subdivisions 8.53 and 8.55 (Communications by and to the Board).--Approval was given to amend the Regents' Rules and Regulations, Part One, Chapter I, Section 8, Subsection 8.5, Subdivisions 8.53 and 8.55 regarding communications by and to the Board to read as set forth below:

- 8.53 All official material to be distributed to the Regents shall be transmitted through the Office of the Board of Regents. Copies of all official communications from administrative 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. The regular channel of communication from the faculty, staff, students and administration to the Board is through the chief administrative officer of the institution involved, the appropriate Executive Vice Chancellor and the Chancellor. A copy of any communication sent directly to a Board member should be furnished to the Chancellor, the appropriate Executive Vice Chancellor and to the chief administrative officer of the institution involved.

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

8.55

A description of all matters to be considered by the Board or a standing committee of the Board at any meeting shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and to designated officials at least five days in advance of the meeting at which they are to be considered, and insofar as possible, such material shall be mailed or delivered to each member of the Board or to each member of the appropriate standing committee of the Board and the designated officials at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the need for action thereon, and the recommendations of the Chancellor. Where contractual awards are involved, the summary shall show the method of competition, if any, the names and offers of all interested parties, and generally sufficient information to show the reasons for and fairness of each transaction. The recommendations of the Chancellor shall state whether they are fully concurred in by any Executive Vice Chancellor 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.

~~RECESS FOR COMMITTEE MEETINGS AND COMMITTEE REPORTS TO THE BOARD.--At 10:15 a.m., the Board recessed for the meetings of the Standing Committees, and Chairman Rapoport announced that at the conclusion of each committee meeting the Board would reconvene to approve the report and recommendations of that committee.~~

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



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

MEMORANDUM

October 29, 1993

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page ii	Page ii
Pages III-35 and III-36	Pages III-35, III-36 and III-36a

The amendments approved at the October 8, 1993 meeting of the U. T. Board of Regents as well as editorial amendments have been incorporated on the revised pages.

AD/lp

Enclosures

Distribution List for Official Copies of  
Regents' Rules and Regulations

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

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

**RULES AND REGULATIONS**

**OF THE**

**BOARD OF REGENTS**

**OF**

**THE UNIVERSITY OF TEXAS SYSTEM**

**FOR THE GOVERNMENT OF**

**THE UNIVERSITY OF TEXAS SYSTEM**

**PART ONE**

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through October 8, 1993,  
and editorial amendments through October 1993  
have been issued with this cover sheet.)

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9.	Acquaintance with, Conformity to, Availability and Improvement of Regulations..... III-30
10.	Communications, Appeals, and Hearings..... III-30
11.	Communications with the Legislature and Other State Agencies or Officials..... III-31
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13.	Outside Employment..... III-32
14.	Holidays..... III-34
15.	Vacation..... III-34
16.	Leaves of Absence Without Pay..... III-35
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19.	Division of Salaries for Staff Engaged in Teaching and Nonteaching Activities..... III-36
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28.	Power to Authorize Expenditures Out of System Funds..... III-40
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Editorial Amendment  
Issued October 1993

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

Sec. 16. Leaves of Absence Without Pay.

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

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

Sec. 20. Sick Leave.

- 20.1 Sick leave for all employees, including faculty, non-teaching personnel, and classified personnel, shall be as provided by state law.
- 20.2 In cases where illness incapacitates a member of an institutional or professional staff, arrangements for carrying on his or her usual duties must be made through appropriate administrative channels with the chief administrative officer of the institution.
- 20.3 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.

Editorial Amendment  
Issued October 1993

REPORT AND RECOMMENDATIONS OF THE BUSINESS AFFAIRS AND AUDIT COMMITTEE (Pages 6 - 15).--Committee Chairman Loeffler reported that the Business Affairs and Audit Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Business Affairs and Audit Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. System: Approval of Chancellor's Docket No. 72 (Catalog Change).--Upon recommendation of the Business Affairs and Audit Committee, the Board approved Chancellor's Docket No. 72 in the form distributed by the Executive Secretary. It is attached following Page 109 in the official copies of the Minutes and is made a part of the record of this meeting.

It was expressly authorized that any contracts or other documents or instruments approved therein had been or shall be executed by the appropriate officials of the respective institution involved.

It was ordered that any item included in the Docket that normally is published in the institutional catalog be reflected in the next appropriate catalog published by the respective institution.

2. U. T. Board of Regents - Regents' Rules and Regulations: Amendments to (a) Part One, Chapter III, Section 16 (Leaves of Absence Without Pay) and (b) Part Two, Chapter V, Section 2, Subsection 2.2 (Medical Disability Leave).--Approval was given to amend the Regents' Rules and Regulations, Parts One and Two as set forth below:

- a. Part One, Chapter III, Section 16 regarding leaves of absence without pay was amended to read as follows:

Sec. 16. Leaves of Absence Without Pay.

- 16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff.
- 16.2 The maximum period for which a leave of absence will be granted is the end of the fiscal year in which the leave begins. In the case of faculty, the date for return to duty will generally coincide with the beginning of the next semester, following the period of absence. In normal circumstances, leaves for up to one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements. The first period of leave of absence may

MINUTES  
10/8/93



be approved, subject to the general conditions included herein, by the chief administrative officer. Requests for additional leave under this section must be submitted to the U. T. Board of Regents for approval.

- 16.3 Except in unusual circumstances, such as military service, reasons of health, continued graduate study, and public service or other activity that reflects credit on the institution and enhances an individual's ability to make subsequent contributions to the institution, a second consecutive year of leave will not be granted.
- 16.4 Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted.
- 16.5 After a return to duty of one year, the leave-of-absence privilege will be available.
- 16.6 Unless otherwise provided by or authorized pursuant to law, all accumulated paid leave entitlement must be exhausted before a leave of absence without pay may be granted, with the additional provision that sick leave must be exhausted in those cases where the employee is eligible to take sick leave.
- 16.7 Upon expiration of Family and Medical Leave pursuant to these Rules and Regulations, an employee may be eligible for a leave of absence under this section. For leave of absence to participate in a political campaign, faculty development leave, parental leave, sick leave, leave for jury duty, leave for military duty, and leave related to on-the-job injuries, see other sections of these Rules and Regulations.

b. Part Two, Chapter V, Section 2, Subsection 2.2 regarding medical disability leave was amended to read as follows:

2.2 Family and Medical Leave.

2.21 Any employee, whether faculty, classified, or administrative, may request and receive a leave of absence without pay for up to twelve weeks per year for family and medical reasons specified by the Family and Medical Leave Act of 1993 and accompanying regulations governing the Act, as set forth in approved institutional and System policies. Eligibility criteria are defined in the Act.

- 2.22 Upon expiration of the twelve weeks of leave taken pursuant to the Family and Medical Leave Act, an employee may be eligible for a leave of absence without pay pursuant to Part One, Chapter III, Section 16 of the Regents' Rules and Regulations.

The amendments to Part One concerning leaves of absence without pay are consistent with federal law and clarify the approval procedure for leaves without pay.

The federal Family and Medical Leave Act of 1993, which was enacted to be effective August 5, 1993, necessitates the amendments to Part Two of the Regents' Rules and Regulations.

3. U. T. Board of Regents: Adoption of Amendments to (a) the First Amended and Restated Master Resolution Establishing the Revenue Financing System and First Supplemental Resolution Establishing an Interim Financing Program and (b) the Guidelines Governing Administration of the Revenue Financing System, and Authorization for Appropriate Officials to Execute Documents Relating Thereto.--Committee Chairman Loeffler called upon Executive Vice Chancellor for Business Affairs Burck for a brief overview of the proposed changes to the Revenue Financing System program for The University of Texas System.

Following Mr. Burck's presentation and upon recommendation of the Business Affairs and Audit Committee, the Board:

- a. Adopted amendments to the Master Resolution and First Supplemental Resolution substantially in the form set out on Pages 10 - 15 to authorize the pledge of general tuition fees, increase the maximum amount of the interim financing program to \$150,000,000, and substitute self-liquidity in support of Revenue Financing System Variable Rate Notes in order to eliminate the requirement for a bank line of credit
- b. Adopted an amendment to the Guidelines Governing Administration of the Revenue Financing System by the addition of the following:

7. Projects authorized by the U. T. Board of Regents to be funded as provided in Section 55.172 of the Texas Education Code and Chapter 803, Seventy-Third Legislature, Regular Session, 1993, shall be funded under these Guidelines except for the provisions of Section 1 related to project and Member capacity. The General Tuition of each institution shall be allocated to debt service on these projects on a basis consistent with that institution's relative share of total U. T. System tuition, the amount of General Revenue appropriated to that institution in reimbursement thereof, and the provisions of the Texas Education Code.

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THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

DATE September 16, 1993

TO: Those Who Receive RRR Amendments (List Attached)

FROM: Art Dilly *AD*

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Pages III-38 and III-39	Pages III-38 and III-39

The amendments approved at the August 12, 1993 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AD/lp

Enclosures

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

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through August 12, 1993  
have been issued with this cover sheet.)

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

- 25.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:
- 25.11 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.
- 25.12 Although the authorship of books, outlines, manuals and similar materials by members of the faculty and staff should be encouraged, the prescribed use of these for students is a responsibility that goes beyond that of the individual author. Where practical and equitable, the charge for outlines, syllabi, and similar materials prescribed for the use of students should be borne by the department. Whenever an approved incidental fee includes a charge for such materials distributed through the classroom, the prices should be as low as possible, consistent with the payment of any required royalty to the author or authors.
- 25.2 To carry out this statement of policy the following procedures are prescribed:
- 25.21 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, and a statement of the reasons for change shall be transmitted by the chairman of the department through the dean to the chief academic and administrative officers.

25.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until approved by the dean, chief academic officer and chief administrative officer, pursuant to policies included in the institutional Handbook of Operating Procedures. At a minimum, these policies should provide for consultation with departmental faculty. An annual list of such approved materials shall be reported to System Administration via the appropriate Executive Vice Chancellor each August. The report shall indicate the proposed prices and profits, if any, and the authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.

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

Sec. 27. Acceptance of Money from Students.

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

June 23, 1993

Distribution List for Official Copies of  
Regents' Rules and Regulations

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

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

June 23, 1993

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

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711 Sam Houston Building  
Austin, Texas 78711  
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Mr. James P. Oliver  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
The University of Texas at Austin  
Main Building 2108  
11400  
FACULTY MAIL

Ms. Sally Reynolds  
Director  
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Austin, Texas 78711  
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Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

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

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

\*\*\*\*\*

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

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REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 32 - 60).--Committee Chairman Holmes reported that the Academic Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

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

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

25.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:

25.11 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.

25.12 Although the authorship of books, outlines, manuals and similar materials by members of the faculty and staff should be encouraged, the prescribed use of these for students is a responsibility that goes beyond that of the individual author. Where practical and equitable, the charge for outlines, syllabi, and similar materials prescribed for the use of students should be borne by the department. Whenever an approved incidental fee includes a charge for such materials distributed through the classroom, the prices should be as low as possible, consistent with the payment of any required royalty to the author or authors.

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

25.21 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, and a statement of the reasons for

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Adopted  
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change shall be transmitted by the chairman of the department through the dean to the chief academic and administrative officers.

- 25.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until approved by the dean, chief academic officer and chief administrative officer, pursuant to policies included in the institutional Handbook of Operating Procedures. At a minimum, these policies should provide for consultation with departmental faculty. An annual list of such approved materials shall be reported to System Administration via the appropriate Executive Vice Chancellor each August. The report shall indicate the proposed prices and profits, if any, and the authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.

OK  
me  
6/15/83

These amendments are intended to allow flexibility in the institutional approval of faculty authored materials required or recommended for classroom use. Some components desire to require approval by departmental faculty committees and others do not.

2. U. T. System: Appointment of Dr. William H. Cunningham as Initial Holder of the Lee Hage and Joseph D. Jamail Regents Chair in Higher Education Leadership Effective Immediately.--Authorization was given to appoint Dr. William H. Cunningham, Chancellor of The University of Texas System, as the initial holder of the Lee Hage and Joseph D. Jamail Regents Chair in Higher Education Leadership at the U. T. System effective immediately.
3. U. T. System: Establishment of a Medical Services Fee at Certain Component Institutions Effective with the Fall Semester 1993 and Authorization for U. T. System Administration to Approve Future Requests for a Medical Services Fee at Other Component Institutions (Catalog Change).--The 73rd Texas Legislature, Regular Session, added a new Section 54.5089 to the Texas Education Code that authorizes the charge and collection of a medical services fee at certain public institutions of higher education, including the component institutions of The University of Texas System.

Approved: *J. [Signature]* *CHA. [Signature]* *BB*

PROPOSED AGENDA ITEM

BOARD OF REGENTS  
RECEIVED  
JUL 9 1993  
U.I. SYSTEM

For Board of Regents' Meeting: August 12, 1993

Recommended Committee(s): ~~Meeting of the Board~~ *APC* *EBB* *J. [Signature]*

U. T. Board of Regents: Proposed Amendments to the Regents' Rules and Regulations, Part One, Chapter III, Section 25 (Textbooks and Other Materials Prescribed for the Use of Students).--

RECOMMENDATION

The Chancellor concurs in the recommendation of the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Business Affairs, and the Executive Vice Chancellor for Health Affairs that the Regents' Rules and Regulations, Part One, Chapter III, Section 25 regarding textbooks and other materials prescribed for the use of students be amended as set forth below in congressional style:

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

25.1 <sup>\*</sup>✓ The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:

25.11 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.

25.12 Although the authorship of books, outlines, manuals and similar materials by members of the faculty and staff should be encouraged, the prescribed use of these for students is a responsibility that goes beyond that of the individual author. Where practical [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 an approved incidental fee includes a charge [is authorized] for such [mimeographed-or similarly-processed] materials distributed through the classroom,

Copies

Supplemental Material

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

xcs: Chancellor Cunningham

Dr. Duncan

Mr. Burck

Dr. Mullins

Mr. Farabee

Mrs. Perry

Date: JPD/FAF/jt  
5/17/93

the prices should be as low as possible, consistent with the payment of any required [~~a-fair-and-reasonable~~] royalty to the author or authors.

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

25.21 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 for change [~~therefor~~] shall be transmitted by the chairman of the department through the dean to the chief academic and administrative officers.

25.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until [~~such books, notes, manuals, or materials shall-have-been~~] approved by the dean, chief academic officer and chief administrative officer, pursuant to policies included in the Institutional Handbook of Operating Procedures [with-reasons-stated, by the departmental faculty and the dean or deans concerned and by the chief administrative officer]. At a minimum, these policies should provide for consultation with departmental faculty. An annual list of such approved materials shall be reported to System Administration via the appropriate Executive Vice Chancellor each August. The report shall indicate the proposed prices and profits, if any, and the authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given [~~by-the-chief-administrative officer~~].

*include comma as being yes deleted*

*{ This item requires the concurrence of the Health Affairs Committee.*

#### BACKGROUND INFORMATION

The proposed changes to the Regents' Rules and Regulations, Part One, Chapter III, Section 25, are intended to allow flexibility in the institutional approval of faculty authored materials required or recommended for classroom use. Some components desire to require approval by department faculty committees; others do not.

The proposed changes to Subsection 25.1 are editorial in nature and acknowledge that institutional charges for textbooks and other materials prescribed for the use of students and distributed through the classroom must be approved in the incidental fee approval process each February. (This does not include bookstore sales.)

*VIII*

THE UNIVERSITY OF TEXAS SYSTEM

OFFICE OF THE BOARD OF REGENTS  
BOX N - AUSTIN, TEXAS 78713-7326 (512) 499-4402

MEMORANDUM

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DATE June 30, 1993

TO: Those Who Receive Copies of RRR Amendments (List Attached)

FROM: Art Dilly *AD*

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

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

"A"	"B"
Cover Page	Cover Page
Page iii	Page iii
Pages III-2 through III-5, III-14 through III-17, III-21 and III-22	Pages III-2 through III-5, III-14 through III-17a, III-21 and III-22
Page VI-30	Page VI-30
Page VIII-9	Page VIII-9

The amendments approved at the June 10, 1993 meeting of the U. T. Board of Regents as well as an editorial amendment have been incorporated on the revised pages.

AD/lp  
Enclosures

June 23, 1993

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

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

June 23, 1993

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

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Austin, Texas 78711  
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Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
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State Auditor's Office  
The University of Texas at Austin  
Main Building 2108  
11400  
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Director  
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Austin, Texas 78711  
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Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

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

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

\*\*\*\*\*

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

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

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through June 10, 1993,  
and editorial amendments through June 1993  
have been issued with this cover sheet.)

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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 subdivisions describe the use of titles to apply in all institutions.

- 1.81 Except for the title Regental Professor and, at U. T. Brownsville, the additional technical titles of Master Technical Instructor, Associate Master Technical Instructor, and Assistant Master Technical Instructor as authorized in the U. T. Brownsville Handbook of Operating Procedures for and in conjunction with associate degree and certificate programs for the educational partnership with Texas Southmost College, 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 be awarded tenure by virtue of appointment to one of the positions listed above in Subdivision 1.81, 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 component institutions. Tenure cannot be awarded to a person appointed to these ranks and, with the exception of the ranks of Instructor and Technical 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 except in the case of Lecturer or Senior Lecturer when, in individual cases, appointment may be for periods of time not to exceed three academic years. With the exception of the titles of Instructor and Technical 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. 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) Technical Instructor. This title denotes a probationary appointment as a member of the U. T. Brownsville faculty in associate degree or certificate programs for the educational partnership with Texas Southmost College. During the period of probationary appointment to this rank, the teaching performance and professional promise of the candidate will be evaluated.
- (c) 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.

- (d) 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.
- (e) 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.
- (f) 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.
- (g) 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.
- (h) 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.

- (i) In the general academic institutions with health-related clinical programs, persons appointed to full-time positions for the primary purpose of patient care and other service activities, 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)*
- (j) 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

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 or, at U. T. Brownsville, with the additional technical titles of Master Technical Instructor, Associate Master Technical Instructor, or Assistant Master Technical Instructor may be granted tenure. Tenure may be granted at the time of appointment to any of such academic ranks, or tenure may be withheld pending satisfactory completion of a probationary period of faculty service; however, such tenure status shall not be applicable to the faculty of The University of Texas M.D. Anderson Cancer Center.

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

The University of Texas M.D. Anderson Cancer Center is authorized to award a seven-year term appointment which will denote a status of continuing appointment at that institution as a member of the faculty for a period of seven years. Only members of the faculty with academic

titles of Professor, Associate Professor, or Assistant Professor may be granted a seven-year term appointment. A seven-year term appointment may be granted at the time of appointment to any of such academic rank or may be withheld pending satisfactory completion of a probationary period of faculty service.

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

- 6.21 Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and Instructor, or any combination thereof, or in the academic ranks of Master Technical Instructor, Associate Master Technical Instructor, Assistant Master Technical or Technical Instructor, or any combination thereof, shall be counted toward fulfillment of a required probationary period related to the award 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 Subdivision 6.21 shall not be more than seven years of full-time academic service at the general academic institutions of the System and not more than nine years of full-time academic service at the health-related institutions of the System. In the event that a component institution fails to specify the maximum length of probationary service in its Handbook of Operating Procedures, such period shall be seven years at the general academic institutions of the System and nine years at the health-related institutions of the System. No later than August 31st of the penultimate academic year of the maximum probationary

period in effect at any component institution, all nontenured faculty serving in a rank which accrues time toward satisfaction of a probationary period shall be given notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure or a seven-year term appointment will be granted. In the event that the employment of a nontenured faculty member in any academic rank specified in Subdivision 6.21 is to be terminated prior to the end of the maximum probationary period, notice shall be given in accordance with Subsection 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 work loads 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 shall 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 or with the title of Technical Instructor, Assistant Master Technical Instructor, Associate Master Technical Instructor or Master Technical Instructor 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 or with the title of Technical Instructor, Assistant Master Technical Instructor, Associate Master Technical Instructor or Master Technical Instructor that such appointee may hold at a System component.
- 6.3 Termination by an institution of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of appointment, except as is otherwise provided in Subsection 6.26 or by resignation or retirement, will be only for good cause shown. In

each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the System.

- 6.31 A chief administrative officer may for grave cause suspend an accused faculty member pending immediate investigation or speedy trial as hereinafter provided.
- 6.32 In cases of incompetency, gross immorality, or felony, where the facts are admitted, summary dismissal will follow.
- 6.33 In cases where other offenses are charged, and in all cases where the facts are in dispute, the accused faculty member will be informed in writing of the charges,

- 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 or she 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 in an academic rank specified in Subdivision 6.21, 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 or her 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.

June 10, 1993

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

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

June 10, 1993

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

REPORT AND RECOMMENDATIONS OF THE ACADEMIC AFFAIRS COMMITTEE (Pages 61 - 90).--Committee Chairman Holmes reported that the Academic Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Academic Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

MINUTES  
6-10-93

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One; Amendments to Chapter III, Section 1, Subsection 1.8 (Academic Titles) and Section 6, Subsections 6.2 and 6.7 (Tenure, Promotion, and Termination of Employment).--Upon recommendation of the Academic Affairs and Health Affairs Committees, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 1, Subsection 1.8 (Academic Titles) and Section 6, Subsections 6.2 and 6.7 (Tenure, Promotion, and Termination of Employment) as set forth below:

- a. Section 1, Subsection 1.8 was amended to read as follows:

1.8 Academic Titles.

In order to achieve consistency in the use of academic titles among the component institutions of the System, the following subdivisions describe the use of titles to apply in all institutions.

- 1.81 Except for the title Regental Professor and, at U. T. Brownsville, the additional technical titles of Master Technical Instructor, Associate Master Technical Instructor, and Assistant Master Technical Instructor as authorized in the U. T. Brownsville Handbook of Operating Procedures for and in conjunction with associate degree and certificate programs for the educational partnership with Texas Southmost College, 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 be awarded tenure by virtue of appointment to one of the positions listed above in Subdivision 1.81, 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 component institutions. Tenure cannot be awarded to a person appointed to these ranks and, with the exception of the ranks of Instructor and Technical 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 except in the case of Lecturer or Senior Lecturer when, in individual cases, appointment may be for periods of time not to exceed three academic years. With the exception of the titles of Instructor and Technical 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. 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) Technical Instructor. This title denotes a probationary appointment as a member of the U. T. Brownsville faculty in associate degree or certificate programs for the educational partnership with Texas Southmost College. During the period of probationary appointment to this rank, the teaching performance and professional promise of the candidate will be evaluated.

b. Present items remaining in Subdivision 1.83 [(b) through (i)] were renumbered as appropriate.

c. Section 6, Subsection 6.2 was amended to read as follows:

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 or, at U. T. Brownsville, with the additional technical titles of Master Technical Instructor, Associate Master Technical Instructor, or Assistant Master Technical Instructor may be granted tenure. Tenure may be granted at the time of appointment to any of such academic ranks, or tenure may be withheld pending satisfactory completion of a probationary period of faculty service; however, such tenure status shall not be applicable to the faculty of The University of Texas M.D. Anderson Cancer Center.



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

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

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

- 6.21 Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and Instructor, or any combination thereof, or in the academic ranks of Master Technical Instructor, Associate Master Technical Instructor, Assistant Master Technical or Technical Instructor, or any combination thereof, shall be counted toward fulfillment of a required probationary period related to the award 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 Subdivision 6.21 shall not be more than seven years of full-time academic service at the general academic

institutions of the System and not more than nine years of full-time academic service at the health-related institutions of the System. In the event that a component institution fails to specify the maximum length of probationary service in its Handbook of Operating Procedures, such period shall be seven years at the general academic institutions of the System and nine years at the health-related institutions of the System. No later than August 31st of the penultimate academic year of the maximum probationary period in effect at any component institution, all nontenured faculty serving in a rank which accrues time toward satisfaction of a probationary period shall be given notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure or a seven-year term appointment will be granted. In the event that the employment of a nontenured faculty member in any academic rank specified in Subdivision 6.21 is to be terminated prior to the end of the maximum probationary period, notice shall be given in accordance with Subsection 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 work loads 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 shall 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 or with the title of Technical Instructor, Assistant Master Technical Instructor, Associate Master Technical Instructor or Master Technical Instructor 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 or with the title of Technical Instructor, Assistant Master Technical Instructor, Associate Master Technical Instructor or Master Technical Instructor that such appointee may hold at a System component.

d. Section 6, Subsection 6.7 was amended to read as follows:

6.7 In the event of decision not to reappoint a non-tenured faculty member in an academic rank specified in Subdivision 6.21, 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.

These amendments to the Regents' Rules and Regulations authorize new academic titles for those faculty members at The University of Texas at Brownsville who teach community college courses in associate degree and occupational training certification programs pursuant to the educational partnership agreement with Texas Southmost College. Specifically, the changes authorize a tenure track title of Technical Instructor (similar to the title of Instructor for current general academic faculty) and allow for faculty members in associate degree and occupational/technical programs to hold tenure in titles of Assistant Master Technical Instructor, Associate Master Technical Instructor, and Master Technical Instructor (comparable to Assistant Professor, Associate Professor, and Professor titles for general academic faculty).

MINUTES  
6-10-93

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Authorization to Amend Chapter VI, Section 12.--The Board, upon recommendation of the Academic Affairs and Health Affairs Committees, amended the Regents' Rules and Regulations, Part One, Chapter VI, Section 12 as set forth below:
  - a. A new Section 12 was added to read as follows:

Sec. 12. Animals on Campus.--With the exception of certified support animals and animals involved in approved University activities, animals are not permitted in any university building. Animal(s) may be brought onto campus, other than in buildings, but should be appropriately restrained and/or contained. The owner shall be responsible for cleaning up after the animal.
  - b. Present Section 12 was deleted in its entirety.
3. U. T. Arlington: Approval to Name Baseball Field as the Allan Saxe Field (Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, Naming of Facilities Other Than Buildings).--Pursuant to the Regents' Rules and Regulations, Part One, Chapter VIII, Section 1, Subsection 1.2, relating to the naming of facilities other than buildings, the Board designated the baseball field at The University of Texas at Arlington as the Allan Saxe Field.

The naming of this baseball field is in honor of Dr. Allan Saxe, Associate Professor of Political Science at U. T. Arlington, whose philanthropic endeavors for many years have included gifts for several student loan and scholarship programs, gifts of artwork, and most recently a \$100,000 gift for renovation of the baseball facilities.
4. U. T. Austin: Initial Appointments to Endowed Academic Positions in the (a) College of Business Administration, (b) School of Law, (c) College of Liberal Arts, and (d) College of Natural Sciences Effective September 1, 1993.--The Board approved the following initial appointments to endowed academic positions at The University of Texas at Austin effective September 1, 1993,

REPORT AND RECOMMENDATIONS OF THE HEALTH AFFAIRS COMMITTEE (Pages 91 - 96).--Committee Chairman Ramirez reported that the Health Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Health Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

MINUTES  
6-10-93

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Authorization to Amend Chapter VIII, Section 4, Subsection 4.(14) (Institutions and Entities Composing the System).--Pursuant to the passage by the 73rd Legislature of Senate Bill 374, signed by Governor Ann Richards on April 29, 1993, related to the closing of The University of Texas Speech and Hearing Institute at Houston, the Board amended the Regents' Rules and Regulations, Part One, Chapter VIII, Section 4; Subsection 4.(14) regarding the entities of The University of Texas Health Science Center at Houston to read as set forth below:

Sec. 4. Institutions and Entities Composing the System.

	<u>Full Title</u>	<u>Short Title</u>
4.(14)	The University of Texas Health Science Center at Houston	U.T. Health Science Center - Houston
4.(14)1	The University of Texas Medical School at Houston	U.T. Medical School - Houston
4.(14)2	The University of Texas Dental Branch at Houston	U.T. Dental Branch - Houston
4.(14)3	The University of Texas Graduate School of Biomedical Sciences at Houston	U.T. G.S.B.S. - Houston
4.(14)4	The University of Texas School of Allied Health Sciences at Houston	U.T. Allied Health Sciences School - Houston
4.(14)5	The University of Texas School of Public Health at Houston	U.T. Public Health School - Houston
4.(14)6	The University of Texas School of Nursing at Houston	U.T. Nursing School - Houston

The U. T. Speech and Hearing Institute - Houston was acquired in 1971 as a donation from a nonprofit corporation (Texas Institute for Rehabilitation and Research) pursuant to the provisions of Senate Bill 918. The Institute functioned in accordance with the statutory provisions until October 31, 1992, at which time the Institute was closed and the service delivery programs were transferred to the Houston School for the Deaf and the University of Houston Communication Sciences and Disorders Consortium where they are supported in part by United Way.

THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

*I RRR - Part One*  
*3/10 mailed*  
*D*

DATE March 10, 1993

TO: Those Who Receive RRR Amendments (List Attached)

FROM: Arthur H. Dilly *AH*

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page VII-12	Page VII-12

The amendment approved at the February 11, 1993 meeting of the U. T. Board of Regents has been incorporated on the revised page.

AHD/lp  
Enclosures



January 8, 1993

Distribution List for Official Copies of  
Regents' Rules and Regulations

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

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

January 8, 1993

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

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

Mr. James P. Oliver  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
The University of Texas at Austin  
Main Building 2108  
11400  
FACULTY MAIL

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

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

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

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

\*\*\*\*\*

Mr. W. C. Lancaster  
Associate Deputy Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117



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

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through February 11, 1993,  
have been issued with this cover sheet.)

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<u>Foundation</u>	<u>Date Established</u>
Communication Foundation of the School of Communication <sup>3</sup>	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	
The University of Texas at El Paso Foundation	7/29/67
The University of Texas at El Paso Miner Foundation	2/13/92
The University of Texas at Dallas	
Management School Foundation	2/11/93

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

MINUTES  
2-11-43

8. U. T. Dallas: Establishment of an Internal Foundation for the School of Management; Approval to Amend the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3 (Internal Foundations) to Include the Management School Foundation; and Establishment of the Management School Foundation Advisory Council.--Upon recommendation of the Academic Affairs Committee, the Board:
- a. Approved the resolution set out on Page 44 establishing the Management School Foundation as an internal foundation to benefit the School of Management at The University of Texas at Dallas in accordance with the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3
  - ✓ b. Authorized the Executive Secretary to the U. T. Board of Regents to add the Foundation to the list of approved internal foundations set out in the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3, Subdivision 4.33 (Internal Foundations)
  - c. Established the Management School Foundation Advisory Council pursuant to the Regents' Rules and Regulations, Part One, Chapter VII, Section 3, with the understanding that nominees to the Management School Foundation Advisory Council will be submitted for approval at a future meeting.

The U. T. Dallas Management School Foundation (Foundation) was incorporated in 1980 as a privately incorporated nonprofit organization to solicit funds on behalf of the School of Management at U. T. Dallas. It is recognized that an internal foundation will provide enhanced visibility for the department and fund raising capabilities while providing consistent internal control over fund raising efforts. Mutual termination of the Foundation has been agreed to by the Foundation board members and the U. T. Dallas Administration, and the Foundation will be dissolved with assets transferred to U. T. Dallas in early 1993.

SPECIAL ITEMS

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

Upon motion of Regent Barshop, seconded by Vice-Chairman Ramirez, the Board unanimously elected Regent Robert J. Cruikshank to serve as the Regental representative on the Board of Trustees of the Texas Growth Fund to replace Regent Sam Barshop whose term on the U. T. Board of Regents will expire shortly.

- MINUTES  
2-11-93
2. U. T. System: Authorization to Change Operational and Administrative Structure of the Hogg Foundation for Mental Health and to Rename the Entity the Office of the Hogg Foundation for Mental Health; Approval to Make Recommendation to Board of Trustees of the Ima Hogg Foundation, Inc. to Dissolve the Corporation and Authorize Alternative Management of Assets as the Ima Hogg Endowment; and Authorization for the Executive Officers of U. T. System Administration and Appropriate Officials of U. T. Austin to Take the Necessary Actions to Accomplish These Changes.--Chairman Beecherl reported that in addition to the write-up in the Material Supporting the Agenda detailed recommendations were before the Board on yellow paper related to certain changes in the operational and administrative structure of the Hogg Foundation for Mental Health and other related activities at The University of Texas at Austin. He then called on Executive Vice Chancellor for Academic Affairs Duncan to summarize the proposed recommendations that were before the Board.

Executive Vice Chancellor Duncan distributed the chart set out on Page 6 which reflects the current and proposed administrative structure of the Hogg Foundation for Mental Health and summarized the history of the Hogg Foundation for Mental Health and the Ima Hogg Foundation, Inc. as set out below.

The Hogg Foundation for Mental Health was established in 1939 and implemented in 1940 through an agreement related to a testamentary gift from the Estate of Mr. Will C. Hogg as administered by his sister Miss Ima Hogg and his brother Mr. Mike Hogg. The original gift was named the "Hogg Foundation-W. C. Hogg Memorial Fund." Subsequent bequests were received from other donors, including Hogg family members. The Hogg Foundation for Mental Health performs functions associated with the distribution of income and reporting on the programs funded by income in compliance with the purposes specified by each donor. The funds are invested by the U. T. System Office of Asset Management.

The Hogg Foundation for Mental Health is currently an administrative entity of The University of Texas System declared as tax exempt by the Internal Revenue Service and has, since November 1, 1988, been an operating and

budgetary division of U. T. Austin with a reporting relationship to the U. T. Board of Regents via the President of U. T. Austin, the Executive Vice Chancellor for Academic Affairs, and the Chancellor.

The Ima Hogg Foundation, Inc. is a Texas nonprofit corporation created by Miss Ima Hogg through Articles of Incorporation filed with the Secretary of State on June 26, 1964. Three individuals then serving on the U. T. Board of Regents were named as the members of the Board of Trustees of the Ima Hogg Foundation, Inc. Adoption of By-Laws expanded the number of trustees to nine to include all of the individuals who are members of the U. T. Board of Regents.

The Internal Revenue Service determined the Ima Hogg Foundation, Inc. to be exempt from taxation in 1970.

The Ima Hogg Foundation, Inc. accounts are currently invested by the U. T. System Office of Asset Management pursuant to an Investment Agency Agreement executed on June 14, 1990. Income from funds held or administered by the Ima Hogg Foundation, Inc. is administered by the Hogg Foundation for Mental Health for programs operated by the administrative entity or disbursed as grants for the charitable purposes specified by the donor.

Executive Vice Chancellor Duncan reported that in 1992, the U. T. System Auditor identified the need to review, clarify, and update the operational structure and administration of the Hogg Foundation for Mental Health and the Ima Hogg Foundation to match current practices and requirements. The Business Affairs and Audit Committee of the U. T. Board of Regents then asked the Executive Vice Chancellor for Academic Affairs and the Executive Vice Chancellor for Business Affairs to study and make appropriate recommendations on the management policy issues identified.

That study included extensive review of historical documents and past actions of the U. T. Board of Regents related to the Hogg Foundation for Mental Health and the Ima Hogg Foundation, Inc. as well as numerous discussions with U. T. Austin officials and other U. T. System Administration Executive Officers. The recommended actions before the Board provide needed additional clarification on the status of the Hogg Foundation for Mental Health and streamline its reporting and administrative structure consistent with this clarification.

Following Dr. Duncan's presentation and without objection, the Board:

- a. Clarified the status of the Hogg Foundation for Mental Health as an office or activity within U. T. Austin; removed confusion resulting from use of different names for various Hogg activities by renaming the organizational entity as the "Office of the Hogg Foundation for Mental Health"; and approved related changes in the administrative and reporting structures for that office
- b. Approved a recommendation to the Board of Trustees of the Ima Hogg Foundation, Inc. (a nonprofit Texas corporation subject to state law) that Trustees dissolve the corporation and, upon dissolution and court

approval, authorize the various corporate assets to be held as the Ima Hogg Endowment to be invested in the Common Trust Fund for purposes in conformance with the donor's expressed wishes as identified in documents originally establishing the corporation with administration of disbursed income through the renamed Hogg entity

- c. Authorized U. T. System Administration Executive Officers and appropriate U. T. Austin officials to implement the investment, accounting, disbursement, legal, auditing, and reporting procedures necessary to accomplish these operational and administrative changes.

Set forth below is more detailed information related to the actions outlined in a. through c. above.

Clarification of Status -- The Hogg Foundation for Mental Health has operated for over 50 years in conformance with the wishes of the Hogg family and other donors. However, the original use of the term "foundation" to refer at times to the group of Hogg family gifts and at other times to the office charged with administration of the programs and projects funded by the endowment has created recurring confusion when gauged by the meaning of the term today. The Hogg Foundation for Mental Health was created at a time when the identification of an entity as a "foundation" did not include today's precise legal definition or potential consequences for tax, accounting, and fiduciary issues. In an effort to avoid continuing confusion, this action mandates reference to the on-campus office as the Office of the Hogg Foundation for Mental Health and requires formal reference to the group of Hogg family gifts collectively as the Hogg Foundation for Mental Health endowments.

The impact of this action necessitates abandonment of operating and administrative guidelines approved by the U. T. Board of Regents at the February 1977 meeting. Following clear identification of the office as an operating entity of U. T. Austin, new operating and administrative guidelines are to be adopted as part of the U. T. Austin Handbook of Operating Procedures, subject to approval by the Executive Vice Chancellor for Academic Affairs in accordance with the U. T. Board of Regents' approval requirements. The annual operating budget for the Office of the Hogg Foundation for Mental Health is already incorporated into the U. T. Austin operating budget and approved by the Board as a part of the normal budget approval process. With the planned retirement of Dr. Wayne Holtzman, President of the Hogg Foundation for Mental Health, on August 31, 1993, U. T. Austin proposes to use the title of Executive Director rather than President.

Dissolution and Redesignation as Endowment -- The multi-tiered administrative structure for the trusted Ima Hogg Foundation, Inc. funds has become cumbersome and unnecessary over time. The Ima Hogg Foundation, Inc. By-Laws are outdated and do not reflect the current operating structure of the U. T. Board of Regents or U. T. System Administration. For example, the By-Laws require that officers be elected annually and an Executive Committee of at least three trustees perform certain duties related to Ima Hogg Foundation, Inc. management. The annual election has not been consistently held since the U. T.

Board of Regents now uses two-year terms for officers. Additionally, the Board's current Business Affairs and Audit and Asset Management Committees perform functions analogous to the Executive Committee of the Ima Hogg Foundation, Inc.

Article Ten of the Articles of Incorporation addresses dissolution of the corporation "by lapse of time or otherwise" and authorizes transfer of assets to other charitable trustees appointed by a court with preferential consideration given to transfer of "such funds and property to the Trustees of the Hogg Foundation...if such Foundation is then functioning and operating." Dissolution of the corporation is preferable to amendment of the By-Laws and continued operation under the Foundation trustee structure as the U. T. Board of Regents effectively manages numerous other substantial "charitable trusts" as endowments without need for a separate corporate structure. Also, upon dissolution, the trust would no longer be required to make reports to the Secretary of State or file annual tax returns to the Internal Revenue Service.

If the dissolution is approved, the U. T. Board of Regents, acting as the corporate Board of Trustees, will consider the recommendation during the meeting of the U. T. Board of Regents scheduled for April 1993. In other words, the corporate Board of Trustees would elect officers and consider the recommendation from the U. T. Board of Regents to dissolve. Upon dissolution in accordance with court approval, assets would be formally transferred to be held as an endowment to be invested in the Common Trust Fund with income to be distributed consistent with the donor's expressed wishes including the support of programs dealing with the mental health of children in Houston-Harris County.

Authorization to Accomplish Changes -- If approved by the U. T. Board of Regents and the Ima Hogg Foundation, Inc. Board of Trustees, U. T. System and U. T. Austin officials would be authorized to pursue approval of proposed actions in an uncontested proceeding before a district court of Travis County, Texas, and to take necessary administrative actions to bring the endowment recommendations before the U. T. Board of Regents.

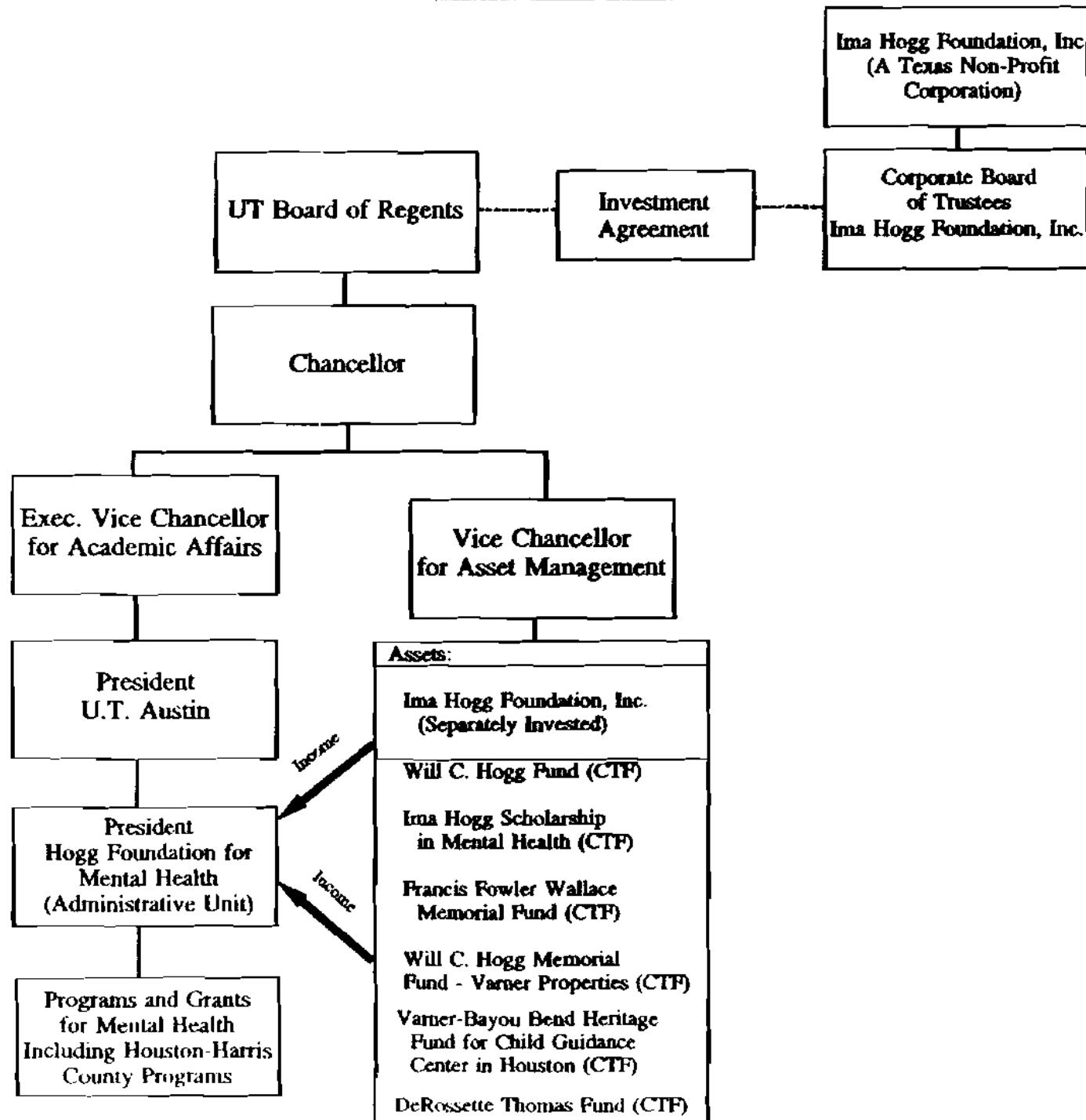
Further, the Regents' Rules and Regulations, Part One, Chapter VII, Section 5 will require amendment to clarify that the U. T. Board of Regents administers the Hogg Foundation for Mental Health endowments, but the members of the U. T. Board of Regents do not specifically act as trustees for a foundation.

Editorial amendment to the Regents' Rules and Regulations, Part One, Chapter VII, Section 6, Subsection 6.3 will also be required to delete mention of the Ima Hogg Foundation, Inc. as an internal corporation.

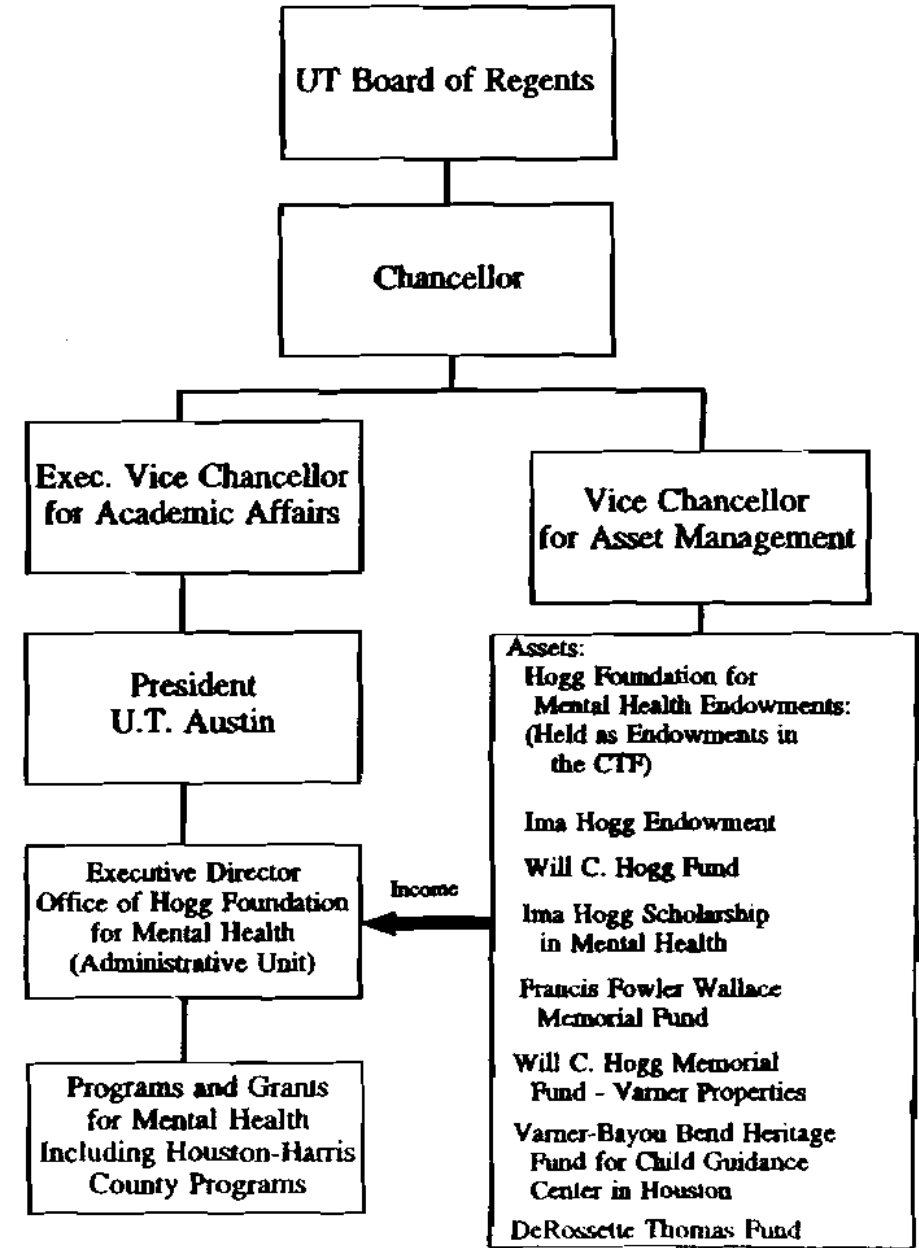
Following approval of these recommendations, Chairman Beecherl suggested that the Board meet with the new executive director to discuss the functions of the Office of the Hogg Foundation for Mental Health and approve the programs being performed by the Office. He emphasized that the Board has a fiduciary responsibility to oversee the Office's operations, and this action by the Board will make it easier for the Board to monitor the Office.

*LP  
This does  
not get  
amended  
@ this  
point as  
Ima Hogg  
Foundation  
must be  
dissolved,  
etc. discussed w/FF  
mg/3/2*

# Current



# Proposed





*I RRR - Part One 7*

THE UNIVERSITY OF TEXAS SYSTEM

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

MEMORANDUM

*12/21  
mailed  
AD*

DATE December 21, 1992

TO: Those Who Receive RRR Amendments (List Attached)

FROM: Art Dilly *AD*

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Page i	Page i
Pages I-19 and I-20	Pages I-19 and I-20
Pages II-4, II-28, II-29, and II-36	Pages II-4, II-4a, II-28, II-29, and II-36

The amendments approved at the December 3, 1992 meeting of the U. T. Board of Regents as well as editorial amendments have been incorporated on the revised pages.

AD/lp  
Enclosures

October 21, 1992

Distribution List for Official Copies of  
Regents' Rules and Regulations

Board of Regents	9
Office of the Board of Regents	3
Executive Associate for Economic Affairs	1
Legislative Budget Board	1
Governor's Budget and Planning Office	1
Publications Clearing House	1
State Auditor - U. T. Austin Representative	1
Legislative Reference Library	1
System Administration	10
Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Business Affairs	
Executive Assistant to the Chancellor	
Vice Chancellor for Asset Management	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
* Executive and Research Assistant to the Chancellor (Boyd)	
Chief Administrative Officers of Component Institutions	16
Associate Deputy Chancellor, Texas A&M University System (Lancaster)	<u>1</u>
TOTAL	45

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

\* Continue to send amendments through February 1, 1993

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

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

Mr. James P. Oliver  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
The University of Texas at Austin  
Main Building 2108  
11400  
FACULTY MAIL

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

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

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

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

\*\*\*\*\*

Mr. W. C. Lancaster  
Associate Deputy Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117

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

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through December 3, 1992,  
and editorial amendments through December 1992  
have been issued with this cover sheet.)

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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 explaining the purpose of such appearance at least six 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. It is understood, however, that the chief administrative officer, or his or her delegate, and/or the president of the students' association, or his or her delegate, may appear without prior notice or request before the Board or any committee whenever the matter under consideration directly affects the component institution represented by such person. Persons requesting to appear must identify the subject of their remarks, which must be directly related to a matter on the Agenda for consideration by the Board. Whenever time and other circumstances permit, the person making the request shall first consult with the chief administrative officer, or his or her delegate, of such institution regarding the purpose of the appearance prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board shall provide a written statement of the substance of such person's presentation to the Board, and 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. Any person appearing before the Board or a committee shall be subject to restrictions on time, place and manner as may be prescribed by the Chairman or a majority of the Board or by the Chairman or a majority of a committee. The Chairman or a majority of the Board may prescribe sanctions against any person exceeding established time, place or manner limits; disrupting a meeting of the Board or a committee of the Board; or violating any provision of the Regents' Rules and Regulations. Sanctions may include the refusal to allow such person to speak again to the Board or committees of the Board for up to one year.

8.53

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

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. The Board through its policies, procedures, and Rules and Regulations maintains its governance responsibilities and acknowledges the importance of maintaining accreditation for the general components and academic programs, as appropriate. Because of the complexity and diversity of the System, the Executive Vice Chancellor for Academic Affairs is delegated the responsibility for ensuring the governance requirements for accreditation not specifically covered elsewhere in these policies, procedures, and Rules and Regulations are met. The Executive Vice Chancellor for Academic Affairs will report the accreditation status to the Board on a periodic basis.



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.

Editorial Amendment  
Issued December 1992

Sec. 12. Councils of the System.

12.1 The System Council.

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

12.2 The Council of Academic Institutions.

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

12.3 The Council of Health Institutions.

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

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

12.4 The Business Management Council.

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

Sec. 13. Chief Administrative Officers of Component Institutions.

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

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

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.

- 13.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 13.31(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.
- 13.31(12) Develop and implement plans and policies to ensure that the institution remains in compliance with any accreditation requirements appropriate to the component or its programs, including, for the health components and those academic components with student health services, the accreditation of hospitals, clinics and patient-care facilities.

Sec. 14. Appointment of Other Officers and Staff.

- 14.1 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.

SPECIAL ITEMS

MINUTES  
12/3/92

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter I, Section 8, Subsection 8.5, Subdivision 8.52 (Communications by and to the Board). --Chairman Beecherl called on Vice Chancellor and General Counsel Farabee to comment on the proposed amendments to the Regents' Rules and Regulations, Part One, Chapter I, Section 8 relating to the requirements for those who wish to appear before the Board.

Vice Chancellor Farabee reported that several months ago Regent Holmes requested The University of Texas System Administration to study state agencies and systems of higher education both in the State of Texas and nationally to determine their practice related to public comment periods. Mr. Farabee noted that he undertook that review and found that city councils and school boards frequently have public comment periods and that some state agencies, such as the Texas Department of Human Services and Texas Department of Health, have set aside time for public comments in their meetings. He pointed out that the Texas Department of Human Services limited these presentations to 3 - 5 minutes depending on the number of persons and time available and the Texas Department of Health limit was 5 - 10 minutes.

Mr. Farabee stated that he contacted several major university systems in the State of Texas (Texas A&M University, University of Houston, Texas State University, Lamar University, University of North Texas, and Texas Tech) as well as several of the larger state university systems in the United States (University of California, University of Wisconsin, University of North Carolina, and State University of New York) and was informed that none of those systems had public comment times specifically set aside at their Board meetings. He emphasized that Texas Southern University has a comment period of fifteen minutes at the end of each of its Board meetings but limited it to members of the university family, i.e., students and faculty.

It was pointed out by Mr. Farabee that the proposed amendments before the Board are intended to clarify the procedures for public presentations or comments upon matters on the agenda for consideration by the Board and makes the request procedures more flexible by allowing requests to speak to be made six days before the meeting rather than ten days in advance as currently required. In addition, he noted that the proposed amendments require the potential speaker to identify the subject of his/her remarks, which must be directly related to a matter on the Board's agenda, recites the well established authority of the Board to regulate the time, place, and manner of speech, and authorizes potential sanctions for speakers violating the time, place, or manner regulations.

Mr. Farabee emphasized that the proposed amendments do not, in any way, diminish the authority of the Chairman to grant permission for speakers to appear before the Board without adhering to the requirements or the ability of other members of the Board to request through the Chairman that an individual be permitted to appear before the Board.

In accordance therewith, the Board amended the Regents' Rules and Regulations, Part One, Chapter I, Section 8, Subsection 8.5, Subdivision 8.52 regarding communications by and to the Board to read as set forth below:

8.5 Communications by and to 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 explaining the purpose of such appearance at least six 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. It is understood, however, that the chief administrative officer, or his or her delegate, and/or the president of the students' association, or his or her delegate, may appear without prior notice or request before the Board or any committee whenever the matter under consideration directly affects the component institution represented by such person. Persons requesting to appear must identify the subject of their remarks, which must be directly related to a matter on the Agenda for consideration by the Board. Whenever time and other circumstances permit, the person making the request shall first consult with the chief administrative officer, or his or her delegate, of such institution regarding the purpose of the appearance prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board shall provide a written statement of the substance of such person's presentation to the Board, and 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. Any person appearing before the Board or a committee shall be subject to restrictions on time, place and manner as may be prescribed by the Chairman or a majority of the Board or by the Chairman or a majority of a committee. The Chairman or a majority of the Board may prescribe sanctions against any person exceeding established time, place or manner limits; disrupting a meeting of the Board or a committee of the Board; or violating any provision of the Regents' Rules and Regulations. Sanctions may include the refusal to allow such person to speak again to the Board or committees of the Board for up to one year.

MINUTES  
12/3/92

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter II, Section 4 (Executive Vice Chancellor for Academic Affairs) and Section 13 (Chief Administrative Officers of Component Institutions).--Approval was given to amend the Regents' Rules and Regulations, Part One, Chapter II, Section 4 regarding the Executive Vice Chancellor for Academic Affairs and Section 13 regarding chief administrative officers of component institutions as follows:

- a. Subsection 4.2 of Section 4 was amended to read as set forth below:

4.2 Duties and Responsibilities.

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

- b. Subsection 13.31(12) of Section 13 was amended to read as follows:

13.31(12) Develop and implement plans and policies to ensure that the institution remains in compliance with any accreditation requirements appropriate to the component or its programs, including, for the health components and those academic components with student health services, the accreditation of hospitals, clinics and patient-care facilities.

These amendments to the Regents' Rules and Regulations are to clearly detail the responsibility delegated to the Executive Vice Chancellor for Academic Affairs and to the chief administrative officers for ensuring appropriate accreditation requirements are met.

Linda:

Sometime this week, please run a search on the following titles  
in the Regents' Rules and Regulations, Parts One and Two:

Executive and Research Assistant to the  
Chancellor

Executive Director for Public Affairs and  
Development

Print out respective pages with these titles and highlight same  
in yellow on each page.

Thanks.

mg  
9/21

9/24

Had - I will make these  
editorial amendments  
when we handle  
substantive changes from  
10/92 meeting.

Thanks  
a

mg  
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Sec. 12. Councils of the System.

12.1 The System Council.

The System Council is composed of the Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor for Asset Management, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive and Research Assistant to the Chancellor, the ~~Executive Director for Public Affairs and 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.

*and  
External  
Relations*

12.2 The Council of Academic Institutions.

The Council of Academic Institutions is composed of the Executive Vice Chancellor for Academic Affairs and the chief administrative officers of the general academic institutions of the System. The Chancellor, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor for Asset Management, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive and Research Assistant to the Chancellor, and the Executive Director for Public Affairs and 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.

12.3 The Council of Health Institutions.

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

affairs. The Chancellor, the Executive Vice Chancellor for Business Affairs, the Vice Chancellor for Asset Management, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive and Research Assistant to the Chancellor, and the Executive Director for Public Affairs and 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.

12.4 The Business Management Council.

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

Sec. 13. Chief Administrative Officers of Component Institutions.

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

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

THE UNIVERSITY OF TEXAS SYSTEM

OFFICE OF THE BOARD OF REGENTS  
BOX N - AUSTIN, TEXAS 78713-7326 (512) 499-4402

MEMORANDUM

DATE September 10, 1992

TO: Those Who Receive RRR Amendments (List Attached)

FROM: Art Dilly *AD*

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

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

<u>"A"</u>	<u>"B"</u>
Cover Page	Cover Page
Pages i and ii	Pages i and ii
Page I-14	Page I-14
Pages II-5, II-9, II-15 through II-19, and II-36	Pages II-5, II-5a, II-9, II-15 through II-19, and II-36
Pages III-7 and III-36 through III-44	Pages III-7 and III-36 through III-44

The amendments approved at the August 13, 1992 meeting of the U. T. Board of Regents have been incorporated on the revised pages.

AD/lp  
Enclosures

August 5, 1992

Distribution List for Official Copies of  
Regents' Rules and Regulations

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Office of Board of Regents	3
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Chancellor	
Executive Vice Chancellor for Academic Affairs	
Executive Vice Chancellor for Health Affairs	
Executive Vice Chancellor for Business Affairs	
Executive and Research Assistant to the Chancellor	
Vice Chancellor for Asset Management	
Vice Chancellor and General Counsel	
Vice Chancellor for Governmental Relations	
Director for Development	
Chief Administrative Officers of Component Institutions	16
Associate Deputy Chancellor, Texas A&M University System (Lancaster)	1
TOTAL	44

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

August 5, 1992

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

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

Mr. James P. Oliver  
Director, Legislative Budget Board  
Second Floor, Room 207A, Capitol  
Austin, Texas 78711  
INTERAGENCY MAIL

State Auditor's Office  
The University of Texas at Austin  
Main Building 2108  
11400  
FACULTY MAIL

Ms. Sally Reynolds  
Director  
Legislative Reference Library  
Room 207-B, Capitol Building  
Austin, Texas 78711  
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Publications Clearing House  
Room 307, Archives Building  
Texas State Library  
Austin, Texas 78711  
INTERAGENCY MAIL

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

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

\*\*\*\*\*

Mr. W. C. Lancaster  
Associate Deputy Chancellor  
The Texas A&M University System  
College Station, Texas 77843-1117

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

PART ONE

Part One was completely reissued as of June 1, 1988.  
(Substantive amendments through August 13, 1992,  
have been issued with this cover sheet)

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

- 5.1 Appointment and Tenure.  
The Executive Vice Chancellor for Health Affairs shall be elected by an affirmative vote of a majority of the Regents in office upon nomination by the Chancellor. The Executive Vice Chancellor for Health Affairs shall hold office without fixed term, subject to the pleasure of the Chancellor. The Chancellor's actions concerning the Executive Vice Chancellor for Health Affairs are subject to review and approval by the Board.
- 5.2 Duties and Responsibilities.  
The Executive Vice Chancellor for Health Affairs shall have as a prime responsibility the maintenance of high academic quality in the health-related teaching institutions and high quality health services in the health-care delivery institutions of the System. The Board through its policies, procedures, and Rules and Regulations maintains its governance responsibilities, and acknowledges the importance of maintaining accreditation for hospital, clinic and other patient-care facilities. Because of the complexity and diversity of the System, the Executive Vice Chancellor for Health Affairs is delegated the responsibility for ensuring the governance requirements for accreditation not specifically covered elsewhere in these policies, procedures, and Rules and Regulations are met. The Executive Vice Chancellor for Health Affairs will report the accreditation status to the Board on a periodic basis. Through the chief administrative officers of the component institutions, he or she shall have responsibility for the budgets, academic planning and programs, facilities planning and construction, and personnel (both academic and nonacademic) of those components. In consultation with the Chancellor, the Executive Vice Chancellor for Health Affairs shall prepare recommendations and supporting information on such matters for consideration by the appropriate standing committees of the Board and the Board of Regents.

Sec. 6. Executive Vice Chancellor for Business Affairs.

The Executive 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 6.3 of this Chapter. The Executive Vice Chancellor for Business Affairs provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Executive 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.

- 6.3116 Controlling and supervising distribution of all budgets and processing and approving (as delegated) interim budget changes.
  - 6.3117 Preparing periodic budgetary, financial, and special reports, as appropriate.
  - 6.3118 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.
- 6.312 Business Operations Duties and Responsibilities.
- 6.3121 Accounting, reporting, and expenditure control.
  - 6.3122 Data processing systems - including prior approval of equipment acquisitions by purchase or lease.
  - 6.3123 Accounting and business system development.
  - 6.3124 Accounting records, forms, procedures, and financial reports, including format for such reports.
  - 6.3125 Lease contracts for building space.
  - 6.3126 Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
  - 6.3127 Investment Accounting Office.

August 13, 1992

- 6.358 Formulating and establishing policies and procedures for police operations on a System-wide basis.
- 6.359 Establishing, maintaining, and supervising on a System-wide basis, a program for police personnel promotion.
- 6.35(10) Reviewing and recommending the pay scale for police personnel throughout the System.
- 6.35(11) Insuring all component institutions systematically survey security needs of existing buildings, grounds, and lighting and recommending appropriate measures to improve and enhance security and crime prevention programs for the protection of life and property.
- 6.35(12) Coordinating with the Office of Facilities Planning and Construction security needs for new construction including security lighting on the property of the component institutions of the System.
- 6.35(13) Coordinating the use of police throughout the System in emergency situations.
- 6.35(14) Submitting periodic reports to the Executive Vice Chancellor for Business Affairs concerning the operations of the police departments of the System.

- 6.36 West Texas Lands Management.  
The Executive Vice Chancellor for Business Affairs provides direction and management for all transactions relative to Permanent University Fund Lands (hereinafter sometimes referred to as "University Lands"). In the exercise of those responsibilities, the Executive Vice Chancellor for Business Affairs:
- 6.361 Works closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 6.362 Develops procedures to ensure the involvement of the Vice Chancellor for Asset Management in the development of recommendations which impact upon the asset management aspects of the Permanent University Fund Lands.
- 6.363 Directs and manages the operation of the following budgeted activities which are part of the Office of West Texas Lands:  
University Lands - Oil, Gas, and Mineral Interests;  
University Lands - Surface Interests (Oil Field Supervision); and  
University Lands - surface Interests (Leasing and Agricultural Projects).

6.364 Director of West Texas Operations.  
Subject to delegation by the Executive Vice Chancellor for Business Affairs, the Director of West Texas Operations is responsible for providing field supervision of System operations, activities, and transactions involving oil, gas, and mineral development and production on the University Lands, supervision of System operations, activities, and 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 Business Affairs, the Director's regular duties include:

6.3641 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.

- 6.3642 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him or her.
- 6.3643 Reviewing periodically the terms and conditions of forms and transactions involving oil and gas interests and surface interests in University Lands, and making recommendations with respect thereto to the Executive Vice Chancellor for Business Affairs and the Board for Lease of University Lands as appropriate.
- 6.3644 Reporting regularly to the Executive Vice Chancellor for Business Affairs and the Board for Lease of University Lands, as appropriate, all activities, developments, and problems which could significantly affect System interests and University Lands, together with his or her recommendations with respect thereto.



- 6.3645 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 6.3646 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.
- 6.3647 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.
- 6.3648 Supervising the University Lands Accounting Office.

- 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.
- 13.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 13.31(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.
- 13.31(12) Develop and implement plans and policies to ensure that hospitals, clinics, and patient-care facilities of the health components remain in compliance with any accreditation requirements appropriate to the component or its programs.

Sec. 14. Appointment of Other Officers and Staff.

- 14.1 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.

- (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) Chair Emeritus, 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 may be conferred only upon approval by the chief administrative officer of the component institution in accordance with procedures included in the institutional Handbook of Operating Procedures and final approval by the Board of Regents.

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

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

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

Sec. 17. Faculty Development Leaves.--Faculty development leaves for faculty members may be granted as set out in Texas Education Code, Section 51.101 et seq. The law provides that after two consecutive academic years at the same institution faculty members as defined in this Act may be considered for a faculty development leave for one academic year at one-half his or her regular salary or for one-half academic year at his or her full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.

Sec. 18. Parental Leave.--Parental leave for all employees shall be as provided by state law.

Sec. 19. Division of Salaries for Staff Engaged in Teaching and Non-teaching Activities.--Each component institution shall develop policies covering budgetary division of salaries for individuals whose employment is divided between teaching and nonteaching assignments subject to current statutory requirements or limitations. These policies shall be set forth in the institutional Handbooks of Operating Procedures.

Sec. 20. Sick Leave.

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

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

20.3 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. 21. Leave for Jury Duty.--Necessary time off for jury duty is allowed without loss of pay or vacation leave.
- Sec. 22. Absence from Usual and Regular Duties.
- 22.1 Authorization for any member of a faculty or staff to be absent from his or her usual and regular duties will be granted only under the following conditions:
    - 22.11 When such absence is on state business, and
    - 22.12 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution; or
    - 22.13 In the case of military leave, not to exceed 15 working days each year.
  - 22.2 Permission to be absent from usual and regular duties shall be obtained as prescribed in institutional regulations.
- Sec. 23. Authorization to Travel.
- 23.1 Authorization to travel will be granted only as specified in Section 10, Chapter III of Part Two.
  - 23.2 A faculty or staff member whose usual duties do not require travel shall not be absent from the regular place of work and usual duties except with permission of the chief administrative officer or designee.
- Sec. 24. Compensation for Correspondence and Extension Teaching.-- Full-time employees on twelve (12) month appointments may receive additional compensation for correspondence course and/or extension center teaching, but may not receive additional compensation for summer school teaching. Full-time employees on nine (9) month appointments may receive additional compensation for correspondence course and/or extension center teaching during the nine (9) month period and also may be paid for summer school teaching. Compensation rates for correspondence course and extension center teaching shall be paid at rates set from year to year by the chief administrative officer with the approval of the appropriate Executive Vice Chancellor and the Chancellor.

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

- 25.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:
- 25.11 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.
- 25.12 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.
- 25.2 To carry out this statement of policy the following procedures are prescribed:
- 25.21 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.

- 25.22 Textbooks, notebooks, manuals, or other materials for the use of students of a component institution, written or prepared by a member of the faculty of that institution, shall not be prescribed for the use of students in that institution or sold to such students until such books, notes, manuals, or materials shall have been approved, with reasons stated, by the departmental faculty and the dean or deans concerned and by the chief administrative officer. An annual list of such approved materials shall be reported to System Administration via the appropriate Executive Vice Chancellor each August. The report shall indicate the proposed prices and profits, and the authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given by the chief administrative officer.
- Sec. 26. Sectarian Courses Prohibited.--No course of instruction of a sectarian character shall be taught in the System or any of its component institutions. (Texas Education Code, Section 65.38.)
- Sec. 27. Acceptance of Money from Students.
- 27.1 Members of teaching staffs, without previous and special approval of the Board, shall not collect from students any fees or charges to be expended for institutional purposes, and shall not sell to students books, notes, or similar student supplies.
- 27.2 A member of the faculty or staff of the rank of instructor or above may not accept pay for extra instruction or teaching of students registered in the institution where he or she is employed.
- 27.3 With written approval, teaching assistants, assistants, and other like instructional employees below the rank of an instructor, may accept pay from students for extra-class instruction or coaching but only in courses or sections of courses with which they have no instructional connection. The Handbook of Operating Procedures of the component institution shall specify the procedure for approval at the institutional level.

Sec. 28. Power to Authorize Expenditures Out of System Funds.

- 28.1 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:
- 28.11 In accordance with general or special budgetary apportionments authorized in advance by the Board and entered in its minutes; or
- 28.12 In accordance with authority specifically vested by the Board in a committee of the Board; or
- 28.13 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.
- 28.2 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.

Sec. 29. 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. 30. 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. 31. Institutional Control and Administration of Contracts and Grants.--Facilities, equipment, or other resources of a component institution may not be utilized in the performance of a contract or grant that is not administered and controlled by the component institution. An employee who utilizes the facilities, equipment, or resources of a component institution for any purpose related to a contract or grant that is not subject to the administration and control of the component institution may not be paid a salary by the component institution until the contract or grant becomes subject to administration by the component institution or such activities are discontinued.
- Sec. 32. 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. 33. Retirement and Modified Service.
- 33.1 No person employed by the U. T. System or any component institution shall be required to retire because of age except as permitted by law. A law enforcement officer shall not be employed beyond the end of the fiscal year that includes the officer's seventieth birthday. A pilot shall not be employed beyond the end of the fiscal year that includes the pilot's sixty-fifth birthday.
- 33.2 The Board of Regents, upon the recommendation of the appropriate Executive Vice Chancellor, Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint a person who has retired to modified service. Retirement is defined as withdrawal from employment with The University of Texas System or a component institution with a retirement benefit.
- 33.3 Recommendation for, and appointment to, modified service shall be made only if the service of the individual will result in a significant benefit to the System or a particular component institution.

- 33.4 Appointment to modified service shall be without tenure, for not more than one academic year and shall not exceed one-half time. The notice provisions of Section 6.7 of this Chapter shall not apply to nonrenewal of such appointments. If the System or a component institution determines that it is to the benefit of the System or the institution, it may offer reappointment to modified service.
- 33.5 The duties, work load, salary rate or compensation of an individual on modified service shall be in accordance with policies and procedures of The University of Texas System or the component institution.
- 33.6 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. 34. Faculty and Staff Organizations.

- 34.1 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.
- 34.2 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.

34.3 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.

34.31 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.

34.32 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.

34.4 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.

34.5 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.

34.6 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. 35. Staff Benefits.--For other staff benefits, see Part Two hereof.

Linda:

See minor editorial amendments suggested by Lois and incorporate per my red marks. Return for signature.

I will not check this packet a second time as that was delegated to you and the staff.

mg  
9/5

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September 3, 1992

Kathy ✓  
Lois ✓

Per Margaret's review, the Regents' Rules and Regulations amendments from the 8/13 Minutes were not correct. These will need to be proofed again. In Chapter II, pages 18 and 19 were changed by deleting a big portion (see MG's mark-up attached). Pages 15 through 19 have all been revamped in their page lengths to accommodate this deletion. Therefore, pages 15 through 19 needed to be proofed thoroughly. In Chapter III, pages 40 and 41, Sec. 30 and Sec. 31 were switched. Per MG, in reading the Minute Order with the current R&R the new section 30 actually becomes section 31. Again, see MG's mark-up attached. The cover memo also had to be retyped so it also needs to be proofed.

If this is not clear please let me know and I will further explain. I need to get these amendments resubmitted to MG as quickly as I can.

Thanks.

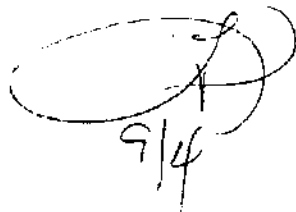
  
Linda

xc: MG

Returned LP 1:10, 9/4

MG:

Attached are the 8/13 Minutes R&R amended pages, once again proofed by LH & RG.

  
9/4

Linda:

✓ After edits to August 13 Minutes are made next week, go through those Minutes and make a xc of all items related to RRR amendments.

✓ Then amend the RRR accordingly. Prepare cover memos, etc. but do not date memos. Have Lois and Kathy proof your RRR changes before packets are presented to me.

✓ No editorial amendments to RRR this time.

*mg*  
mg  
8/21

cc: AHD

8/20 10:20 am  
forwarded to Kathy  
& Lois for proofing.

*AR*

2/21

REPORT AND RECOMMENDATIONS OF THE HEALTH AFFAIRS COMMITTEE (Pages 18 - 21).--Committee Chairman Ramirez reported that the Health Affairs Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Health Affairs Committee and approved in open session and without objection by the U. T. Board of Regents:

*Minutes 8/92*

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One; Amendments to Chapter I, Section 7 (Committee Structure) and Chapter II, Section 5 (Executive Vice Chancellor for Health Affairs) and Section 13 (Chief Administrative Officers of Component Institutions).--For clarification purposes and to meet the requirements of the Joint Commission on Accreditation of Healthcare Organizations regarding the specific role and responsibilities of the U. T. Board of Regents in the governance/management of The University of Texas System health-care facilities, the Board, upon recommendation of the Health Affairs Committee, amended the Regents' Rules and Regulations, Part One, Chapter I, Section 7 (Committee Structure) and Chapter II, Section 5 (Executive Vice Chancellor for Health Affairs) and Section 13 (Chief Administrative Officers of Component Institutions) as follows:

a. Chapter I, Section 7, Subsection 7.1 was amended by deleting Subdivisions 7.17(11)1, 7.17(11)2, and 7.17(11)5 and renumbering and amending present Subdivisions 7.17(11)3 and 7.17(11)4 to read as set forth below:

7.17(11)	With respect to each Hospital, clinic and patient-care facility owned by The University of Texas System:
7.17(11)1	Review and make recommendations to the Board concerning the bylaws, and rules and regulations of the medical staff;
7.17(11)2	Review and make recommendations to the Board concerning mechanisms and controls for the achievement and maintenance of high standards of professional practices in and at the Hospital, clinic or patient-care facility.

b. Chapter II, Section 5, Subsection 5.2 was amended to read as follows:

5.2 Duties and Responsibilities.

The Executive Vice Chancellor for Health Affairs shall have as a prime responsibility the maintenance of high academic quality in the health-related teaching institutions and high quality health services in the health-care delivery institutions of the System. The Board



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

- c. Chapter II, Section 13, Subsection 13.3 was amended by adding a new Subdivision 13.31(12) to read as follows:

13.31(12) Develop and implement plans and policies to ensure that hospitals, clinics, and patient-care facilities of the health components remain in compliance with any accreditation requirements appropriate to the component or its programs.

Committee Chairman Ramirez noted that, during recent accreditation surveys at The University of Texas Medical Branch at Galveston and The University of Texas M.D. Anderson Cancer Center, the Joint Commission on Accreditation of Healthcare Organizations pointed out the need for specific roles and responsibilities pertaining to the governance and management of hospitals, clinics, and patient-care facilities. Dr. Ramirez reported that he was present at the recent U. T. M.D. Anderson Cancer Center accreditation review when the survey team addressed this issue and noted that the Commission was very insistent that the governing board establish, in writing, its governance and management role and delegated responsibilities for ensuring compliance with the accreditation requirements.

Dr. Ramirez then called on Chancellor Mark who stated that this was an expedient change, and it was very important to recognize that the chief administrative officers of the U. T. System academic institutions also have responsibilities in the accreditation process and that ultimately the Board will need to ensure that all chief administrative officers have the same job responsibilities.

REPORT AND RECOMMENDATIONS OF THE BUSINESS AFFAIRS AND AUDIT COMMITTEE (Pages 6 - 17).--Committee Chairman Loeffler reported that the Business Affairs and Audit Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Business Affairs and Audit Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. System: Approval of Chancellor's Docket No. 65 (Catalog Change).--Upon recommendation of the Business Affairs and Audit Committee, the Board approved Chancellor's Docket No. 65 in the form distributed by the Executive Secretary. It is attached following Page 106 in the official copies of the Minutes and is made a part of the record of this meeting.

It was expressly authorized that any contracts or other documents or instruments approved therein had been or shall be executed by the appropriate officials of the respective institution involved.

It was ordered that any item included in the Docket that normally is published in the institutional catalog be reflected in the next appropriate catalog published by the respective institution.

- Minutes  
8/92*
2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter II, Section 6, Subdivision 6.312 (Business Operations Duties and Responsibilities) and Subsection 6.36 (West Texas Lands Management).--Based on the results of a study initiated in mid-1991 to review the interrelated functions and operations of the University Lands Accounting Office and the two West Texas Lands Offices, it was determined that the effectiveness and efficiency of the three offices would be enhanced by realigning the direct reporting relationship of the three offices to the same individual.

In accordance therewith, the Board amended the Regents' Rules and Regulations, Part One, Chapter II, Section 6, Subdivision 6.312 and Subsection 6.36 as set forth below to document that the University Lands Accounting Office, the University Lands - Oil, Gas, and Mineral Interests, and the University Lands - Surface Interests Offices report directly to the Director of West Texas Operations, who, in turn, reports to the Executive Vice Chancellor for Business Affairs:

- a. Subdivision 6.312 of Section 6 was amended to read as follows:

6.312	<u>Business Operations Duties and Responsibilities.</u>
6.3121	Accounting, reporting, and expenditure control.
6.3122	Data processing systems - including prior approval of equipment acquisitions by purchase or lease.
6.3123	Accounting and business system development.

- 6.3124 Accounting records, forms, procedures, and financial reports, including format for such reports.
- 6.3125 Lease contracts for building space.
- 6.3126 Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
- 6.3127 Investment Accounting Office.

b. Subsection 6.36 of Section 6 was amended to read as follows:

6.36 West Texas Lands Management.

The Executive Vice Chancellor for Business Affairs provides direction and management for all transactions relative to Permanent University Fund Lands (hereinafter sometimes referred to as "University Lands"). In the exercise of those responsibilities, the Executive Vice Chancellor for Business Affairs:

- 6.361 Works closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 6.362 Develops procedures to ensure the involvement of the Vice Chancellor for Asset Management in the development of recommendations which impact upon the asset management aspects of the Permanent University Fund Lands.
- 6.363 Directs and manages the operation of the following budgeted activities which are part of the Office of West Texas Lands:
  - University Lands - Oil, Gas, and Mineral Interests;
  - University Lands - Surface Interests (Oil Field Supervision); and
  - University Lands - Surface Interests (Leasing and Agricultural Projects).

6.364 Director of West Texas Operations. Subject to delegation by the Executive Vice Chancellor for Business Affairs, the Director of West Texas Operations is responsible for providing field supervision of System operations, activities and transactions involving oil, gas, and mineral development and production on the University Lands, supervision of System operations, activities, and 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 Business Affairs, the Director's regular duties include:

- 6.3641 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.
- 6.3642 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him or her.
- 6.3643 Reviewing periodically the terms and conditions of forms and transactions involving oil and gas interests and surface interests in University Lands, and making recommendations with respect thereto to the Executive Vice Chancellor for Business Affairs and the Board for Lease of University Lands as appropriate.
- 6.3644 Reporting regularly to the Executive Vice Chancellor for Business Affairs and the Board for Lease of University Lands as appropriate all activities, developments and problems which could significantly affect System interests and University Lands, together with his or her recommendations with respect thereto.
- 6.3645 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 6.3646 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.
- 6.3647 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.
- 6.3648 Supervising the University Lands Accounting Office.

1. U. T. System: Recommendation to Approve Chancellor's Docket No. 65.--

RECOMMENDATION

It is recommended that Chancellor's Docket No. 65 be approved.

It is requested that the committee confirm that authority to execute contracts, documents, or instruments approved therein has been delegated to the officer or official executing same.

- MSA  
8/13/92
2. U. T. Board of Regents: Recommendation to Amend the Regents' Rules and Regulations, Part One, Chapter II, Section 6, Subdivision 6.312 and Subsection 6.36 (Business Operations Duties and Responsibilities and West Texas Lands Management).--

RECOMMENDATION

The Chancellor concurs with the recommendation of the Executive Vice Chancellor for Business Affairs that the Regents' Rules and Regulations, Part One, Chapter II, Section 6, Subdivision 6.312 and Subsection 6.36 be amended as set forth below in congressional style:

- 6.312 Business Operations Duties and Responsibilities.
- 6.3121 Accounting, reporting, and expenditure control.
  - 6.3122 Data processing systems - including prior approval of equipment acquisitions by purchase or lease.
  - 6.3123 Accounting and business system development.
  - 6.3124 Accounting records, forms, procedures, and financial reports, including format for such reports.
  - 6.3125 Lease contracts for building space.
  - 6.3126 Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
  - 6.3127 Investment Accounting Office. [University  
~~Lands-Accounting-Office~~]
  - [6.3128 ~~Investment-Accounting-Office~~]
- 6.36 West Texas Lands Management.  
The Executive Vice Chancellor for Business Affairs provides direction and management for all transactions relative to Permanent University Fund Lands (hereinafter sometimes referred to as "University Lands"). In the exercise of those responsibilities, the Executive Vice Chancellor for Business Affairs:
- 6.361 Works closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.

6.362 Develops procedures to ensure the involvement of the Vice Chancellor for Asset Management in the development of recommendations which impact upon the asset management aspects of the Permanent University Fund Lands.

6.363 Directs and manages the operation of the following budgeted activities which are part of the Office of West Texas Lands:

University Lands - Oil, Gas, and Mineral Interests;

University Lands - Surface Interests (Oil Field Supervision); and

University Lands - Surface Interests (Leasing and Agricultural Projects).

6.364 Director of West Texas Operations. [Manager-of University-Lands---Oil,-Gas,-and-Mineral-Interests]

Subject to delegation by the Executive Vice Chancellor for Business Affairs, the Director of West Texas Operations [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, supervision of System operations, activities, and 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 Business Affairs, the Director's [Manager's] regular duties include:

6.3641 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.

6.3642 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him or her.

6.3643 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 Business Affairs and the Board for Lease of University Lands.

6.3644 Reporting regularly to the Executive Vice Chancellor for Business Affairs 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.

- 6.3645 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- [6-3646 ~~Coordinating with the Manager of University Lands --- Surface Interests in the discharge of their respective duties and responsibilities.~~
- 6-365, ~~Manager of University Lands --- Surface Interests --- Subject to delegation by the Executive Vice-Chancellor for Business Affairs, 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 Business Affairs, the Manager's regular duties include:~~
- 6.3646 [6-3651] 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.
- 6.3647 [6-3652] Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him or her.
- 6.3648 [6-3653] 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 Business Affairs.
- 6.3649 [6-3654] Reporting regularly to the Executive Vice Chancellor for Business Affairs all activities, developments and problems which could significantly affect System interests and University Lands, together with his or her recommendations with respect thereto.
- 6.364(10) [6-3655] 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.
- [6-3656 ~~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.~~
- 6.364(11) Supervising the University Lands Accounting Office.

*MA,*  
*Here are my*  
*amendments*  
*on the West Texas*  
*Management section of*  
*the RR.*

*LH*  
*9/3/92*

- 6.3124 Accounting records, forms, procedures, and financial reports, including format for such reports.
- 6.3125 Lease contracts for building space.
- 6.3126 Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
- 6.3127 Investment Accounting Office.

6.36 of Section 6 was amended to read as follows:

LOWS:

6.36 West Texas Lands Management.

The Executive Vice Chancellor for Business Affairs provides direction and management for all transactions relative to Permanent University Fund Lands (hereinafter sometimes referred to as "University Lands"). In the exercise of those responsibilities, the Executive Vice Chancellor for Business Affairs:

*2H ✓*

- 6.361 Works closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 6.362 Develops procedures to ensure the involvement of the Vice Chancellor for Asset Management in the development of recommendations which impact upon the asset management aspects of the Permanent University Fund Lands.
- 6.363 Directs and manages the operation of the following budgeted activities which are part of the Office of West Texas Lands:
  - University Lands - Oil, Gas, and Mineral Interests;
  - University Lands - Surface Interests (Oil Field Supervision); and
  - University Lands - Surface Interests (Leasing and Agricultural Projects).

*6.364*  
*activities,*  
*6.3641*  
*delete comma*  
*after lands*

- 6.364 Director of West Texas Operations. Subject to delegation by the Executive Vice Chancellor for Business Affairs, the Director of West Texas Operations is responsible for providing field supervision of System operations, activities and transactions involving oil, gas and mineral development and production on the University Lands, supervision of System operations, activities, and 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 Business Affairs, the Director's regular duties include:
  - 6.3641 Making recommendations to the Board for Lease of University Lands and the Board of Regents, as appropriate, for periodic oil

*add*

*omit*



*Comma  
after pooling*

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.

Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him or her.

6.3643 Reviewing periodically the terms and conditions of forms and transactions involving oil and gas interests and surface interests in University Lands, and making recommendations with respect thereto to the Executive Vice Chancellor for Business Affairs and the Board for Lease of University Lands as appropriate.

*Comma  
after developments,*

3644 Reporting regularly to the Executive Vice Chancellor for Business Affairs and the Board for Lease of University Lands as appropriate all activities, developments and problems which could significantly affect System interests and University Lands, together with his or her recommendations with respect thereto.

*Comma  
ar d. Or  
appropriate*

6.3645 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.

6.3646 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.

*6.3647  
delete commas*

*6.3646  
Surface Use  
Comma after  
grazing,*

6.3647 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.

6.3648 Supervising the University Lands Accounting Office.

REPORT AND RECOMMENDATIONS OF THE BUSINESS AFFAIRS AND AUDIT COMMITTEE (Pages 6 - 17).--Committee Chairman Loeffler reported that the Business Affairs and Audit Committee had met in open session to consider those matters on its agenda and to formulate recommendations for the U. T. Board of Regents. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Business Affairs and Audit Committee and approved in open session and without objection by the U. T. Board of Regents:

1. U. T. System; Approval of Chancellor's Docket No. 65 (Catalog Change).--Upon recommendation of the Business Affairs and Audit Committee, the Board approved Chancellor's Docket No. 65 in the form distributed by the Executive Secretary. It is attached following Page 106 in the official copies of the Minutes and is made a part of the record of this meeting.

It was expressly authorized that any contracts or other documents or instruments approved therein had been or shall be executed by the appropriate officials of the respective institution involved.

It was ordered that any item included in the Docket that normally is published in the institutional catalog be reflected in the next appropriate catalog published by the respective institution.

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One; Amendments to Chapter II, Section 6, Subdivision 6.312 (Business Operations Duties and Responsibilities) and Subsection 6.36 (West Texas Lands Management).--Based on the results of a study initiated in mid-1991 to review the interrelated functions and operations of the University Lands Accounting Office and the two West Texas Lands Offices, it was determined that the effectiveness and efficiency of the three offices would be enhanced by realigning the direct reporting relationship of the three offices to the same individual.

In accordance therewith, the Board amended the Regents' Rules and Regulations, Part One, Chapter II, Section 6, Subdivision 6.312 and Subsection 6.36 as set forth below to document that the University Lands Accounting Office, the University Lands - Oil, Gas and Mineral Interests, and the University Lands - Surface Interests Offices report directly to the Director of West Texas Operations, who, in turn, reports to the Executive Vice Chancellor for Business Affairs.

- a. Subdivision 6.312 of Section 6 was amended to read as follows:

6.312	<u>Business Operations Duties and Responsibilities.</u>
6.3121	Accounting, reporting, and expenditure control.
6.3122	Data processing systems - including prior approval of equipment acquisitions by purchase or lease.
6.3123	Accounting and business system development.

- 6.3124 Accounting records, forms, procedures, and financial reports, including format for such reports.
- 6.3125 Lease contracts for building space.
- 6.3126 Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
- 6.3127 Investment Accounting Office.

b. Subsection 6.36 of Section 6 (West Texas Lands Management) was amended to read as follows:

6.36 West Texas Lands Management.

The Executive Vice Chancellor for Business Affairs provides direction and management for all transactions relative to Permanent University Fund Lands (hereinafter sometimes referred to as "University Lands"). In the exercise of those responsibilities, the Executive Vice Chancellor for Business Affairs:

- 6.361 Works closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 6.362 Develops procedures to ensure the involvement of the Vice Chancellor for Asset Management in the development of recommendations which impact upon the asset management aspects of the Permanent University Fund Lands.
- 6.363 Directs and manages the operation of the following budgeted activities which are part of the Office of West Texas Lands:
  - University Lands - Oil, Gas, and Mineral Interests;
  - University Lands - Surface Interests (Oil Field Supervision); and
  - University Lands - Surface Interests (Leasing and Agricultural Projects).
- 6.364 Director of West Texas Operations. Subject to delegation by the Executive Vice Chancellor for Business Affairs, the Director of West Texas Operations is responsible for providing field supervision of System operations, activities and transactions involving oil, gas, and mineral development and production on the University Lands, supervision of System operations, activities, and 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 Business Affairs, the Director's regular duties include:
  - 6.3641 Making recommendations to the Board for Lease of University Lands, and the Board of Regents, as appropriate, for periodic oil

AHD to check with Alan Burch

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.

(A) 6.3642 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him or her.

6.3643 (B) 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 Business Affairs and the Board for Lease of University Lands AS APPROPRIATE. AND SURFACE INTERESTS

6.3644 (C) Reporting regularly to the Executive Vice Chancellor for Business Affairs 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. AS APPROPRIATE

6.3645 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.

6.3646 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.

(A) 6.3647 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him or her.

(A) These are identical & one needs to be deleted

(B) Almost identical - add words from 6.3644 "and surface interests" to 6.3643.

(C) These are identical + one needs to be deleted - ~~at least~~ 6.3644 is more inclusive.

- 6.3648 (b) 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 Business Affairs.
- 6.3649 (c) Reporting regularly to the Executive Vice Chancellor for Business Affairs all activities, developments and problems which could significantly affect System interests and University Lands, together with his or her recommendations with respect thereto.
- 6.364(10) (7) 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.
- 6.364(11) (8) Supervising the University Lands Accounting Office.

3. U. T. System: Adoption of a Standard Bank Depository Agreement-Fully FDIC Insured Accounts Only.--The Board, upon recommendation of the Business Affairs and Audit Committee, adopted the standard Bank Depository Agreement-Fully FDIC Insured Accounts Only as set out on Pages 10 - 11 for The University of Texas System in accordance with the Regents' Rules and Regulations, Part Two, Chapter III, Section 4.11 (Local Institutional Funds), to be used only for small bank accounts which, in the aggregate, do not exceed the FDIC insurance limit at individual banks.

Component institutions maintain small accounts for petty cash and clearance purposes in towns away from their primary location where operations are conducted. State auditors have confirmed that FDIC coverage will be considered in measuring adequate security for deposits as required by law. These accounts generally average \$5,000 to \$10,000. Excess balances are swept weekly to concentration accounts with the component's primary bank.

September 2, 1992

MG:

Per your request I met with Francie Frederick on the matter of Section 30 and Section 31 in the 8/13 Minutes R&R amendments that I had prepared.

She said that in reading the Minute Order it would appear that the new section would be Section 30 but that upon closer look at the current R&R it would indeed need to be Section 31. She so noted this on the copy of the Minute Order. She also double checked by reading the sections and knowing that she wanted the information in the new section to come before the other section.



Linda

SPECIAL ITEM

*Minutes*  
*8/92*

U. T. Board of Regents - Regents' Rules and Regulations, Part One; Approval of Amendments to Chapter III.--For clarification purposes and to comply with state statutes, the Board, without objection, approved amendments to the Regents' Rules and Regulations, Part One, Chapter III as set forth below:

- a. Subdivision 1.84 of Subsection 1.8 of Section 1 regarding academic titles was amended to read as follows:

1.84 Prefixes to academic and staff positions in which tenure cannot be acquired:  
(d) Chair Emeritus, 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 may be conferred only upon approval by the chief administrative officer of the component institution in accordance with procedures included in the institutional Handbook of Operating Procedures and final approval by the Board of Regents.

- b. A new Section 18 was added to read as follows:

Sec. 18. Parental Leave.--Parental leave for all employees shall be as provided by state law.

- c. Present Sections 18 through 29 were renumbered as appropriate.

- d. Present Section 23 was amended and renumbered as Section 24 to read as follows:

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

e. A new Section 30 was added to read as follows:

Sec. 30. Institutional Control and Administration of Contracts and Grants.--Facilities, equipment, or other resources of a component institution may not be utilized in the performance of a contract or grant that is not administered and controlled by the component institution. An employee who utilizes the facilities, equipment, or resources of a component institution for any purpose related to a contract or grant that is not subject to the administration and control of the component institution may not be paid a salary by the component institution until the contract or grant becomes subject to administration by the component institution or such activities are discontinued.

f. Present Sections 30 through 33 were renumbered as appropriate.

The amendment to Subdivision 1.84(d) of Subsection 1.8, Section 1 makes an additional title classification of Chair Emeritus for those faculty members retiring from appointments to those endowed academic positions and makes clear that award of the Emeritus title is to be made pursuant to approved procedures included in the institutional Handbook of Operating Procedures.

The new language at Section 18 regarding parental leave is in line with a new provision in the current General Appropriations Act that employees are entitled to a parental leave of absence of up to six weeks in the event of the birth or adoption of a child under the age of three. The employee may elect to use any combination of available vacation leave, compensatory time or leave without pay for the parental leave.

The amendment to Section 23 is necessary because of deletion of language from the current General Appropriations Act concerning salary rate maximums for correspondence and extension center teaching or other services.

The new language at Section 30 embodies the policy expressed by the Texas Legislature in a rider that was included in the General Appropriations Act for many years.

~~RECESS FOR COMMITTEE MEETINGS AND COMMITTEE REPORTS TO THE BOARD.--At 9:03 a.m., the Board recessed for the meetings of the Standing Committees and Chairman Beecherl announced that, at the conclusion of each committee meeting, the Board would reconvene to approve the report and recommendations of that committee.~~

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



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

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

Sec. 17. Faculty Development Leaves.--Faculty development leaves for faculty members may be granted as set out in Texas Education Code, Section 51.101 et seq. The law provides that after two consecutive academic years at the same institution faculty members as defined in this Act may be considered for a faculty development leave for one academic year at one-half his or her regular salary or for one-half academic year at his or her full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.

*Sec. 18*  
*Sec. 18*  
*19*

*Parental Leave -- added 8/13/92*  
Division of Salaries for Staff Engaged in Teaching and Non-teaching Activities.--Each component institution shall develop policies covering budgetary division of salaries for individuals whose employment is divided between teaching and nonteaching assignments subject to current statutory requirements or limitations. These policies shall be set forth in the institutional Handbooks of Operating Procedures.

Sec. *20*  
~~18.~~ Sick Leave.

*20*  
~~19.1~~ Sick leave for all employees, including faculty, non-teaching personnel, and classified personnel, shall be as provided by state law.

*20*  
~~19.2~~ In cases where illness incapacitates a member of an institutional or professional staff, arrangements for carrying on his or her usual duties must be made through appropriate administrative channels with the chief administrative officer of the institution.

*20*  
~~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. <sup>21</sup>20. Leave for Jury Duty.--Necessary time off for jury duty is allowed without loss of pay or vacation leave.

Sec. <sup>22</sup>21. Absence from Usual and Regular Duties.

<sup>22</sup>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:

<sup>22</sup>21.11 When such absence is on state business, and

<sup>22</sup>21.12 When appropriate provisions are made to carry on the duties of the absent person without additional expense to the institution; or

<sup>22</sup>21.13 In the case of military leave, not to exceed 15 working days each year.

<sup>22</sup>21.2 Permission to be absent from usual and regular duties shall be obtained as prescribed in institutional regulations.

Sec. <sup>23</sup>22. Authorization to Travel.

<sup>23</sup>22.1 Authorization to travel will be granted only as specified in Section 10, Chapter III of Part Two.

<sup>23</sup>22.2 A faculty or staff member whose usual duties do not require travel shall not be absent from the regular place of work and usual duties except with permission of the chief administrative officer or designee.

Sec. <sup>24</sup>23. Compensation for Correspondence and Extension Teaching of Full-Time Staff Members.--Compensation rates for correspondence courses and extension center teaching for full-time teachers on a nine months' basis or for other employees on a twelve months' basis shall be in accord with rates fixed by the then current Appropriations Bill. If not so fixed, those compensation rates shall be set from year to year by the chief administrative officer with the approval of the appropriate Executive Vice Chancellor and the Chancellor.

*amended  
8/3/92*

Editorial Amendment  
Issued May 1990

Sec. <sup>25</sup>~~24~~. Textbooks and Other Materials Prescribed for the Use of Students.

<sup>25</sup>~~24~~.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:

<sup>25</sup>~~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.

<sup>25</sup>~~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.

<sup>25</sup>~~24~~.2 To carry out this statement of policy the following procedures are prescribed:

<sup>25</sup>~~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.

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~~24~~.22

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

Sec. <sup>26</sup>~~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. <sup>27</sup>~~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. <sup>28</sup>~~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.

Sec. <sup>29</sup>~~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. <sup>30</sup>~~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.

*New Sec. 30 added 8/13 which would become Sec. 31*

Sec. ~~30~~  
32. 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~~  
33. Retirement and Modified Service.

- 31.1 No person employed by the U. T. System or any component institution shall be required to retire because of age except as permitted by law. A law enforcement officer shall not be employed beyond the end of the fiscal year that includes the officer's seventieth birthday. A pilot shall not be employed beyond the end of the fiscal year that includes the pilot's sixty-fifth birthday.
- 31.2 The Board of Regents, upon the recommendation of the appropriate Executive Vice Chancellor, Chancellor and, when appropriate, the chief administrative officer of the affected component institution, may appoint a person who has retired to modified service. Retirement is defined as withdrawal from employment with The University of Texas System or a component institution with a retirement benefit.
- 31.3 Recommendation for, and appointment to, modified service shall be made only if the service of the individual will result in a significant benefit to the System or a particular component institution.
- 31.4 Appointment to modified service shall be without tenure, for not more than one academic year and shall not exceed one-half time. The notice provisions of Section 6.7 of this Chapter shall not apply to nonrenewal of such appointments. If the System or a component institution determines that it is to the benefit of the System or the institution, it may offer reappointment to modified service.

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

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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.

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