

EXCERPT FROM THE MINUTES

AUG 13 1992

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.

EXCERPT FROM THE MINUTES

AUG 13 1992

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 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.

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.

EXCERPT FROM THE MINUTES

AUG 13 1992

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.

EXCERPT FROM THE MINUTES

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter II, Section 6, Subdivision 6.33 (Director of Facilities Planning and Construction). --Approval was given to amend the Regents' Rules and Regulations, Part One, Chapter II, Section 6, Subdivision 6.33 to read as set forth below:

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- 6.33 Director of Facilities Planning and Construction.  
The Director of Facilities Planning and Construction reports to the Executive Vice Chancellor for Business Affairs. The primary duties and responsibilities of the office include:
- 6.331 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
  - 6.332 General administration and supervision of any new building construction and initial equipping thereof, or any new construction of improvements other than building; or campus planning exceeding \$300,000 in cost, or of any inside or outside repairs, remodeling, or rehabilitation, exceeding \$600,000 in cost; managing any preliminary planning, feasibility studies, or investigations which are estimated to ultimately develop into one of the above projects at any component institution of the System; advising and working with the consultants, architects and engineers employed by the Board, subject to the terms and conditions of the contracts with those architects and engineers.
  - 6.333 Serving as ex officio member of all faculty building committees at the component institutions.
  - 6.334 Preparing and executing all documents relating to the acquisition and the use of funds received from the federal government and state agencies in connection with construction grant awards.
  - 6.335 Coordinating the preparation of and approving of all grant applications on approved construction projects filed with governmental agencies.
  - 6.336 Coordinating the development of and maintaining of master plans for all component institutions, including but not limited to land utilization, utility and landscape plans.
  - 6.337 Directing the negotiation and approval of all contracts for commercially operated thermal energy plants.
  - 6.338 Complying with federal and state accessibility standards applicable to new construction and major repair and rehabilitation projects of the System and its component institutions.



EXCERPT FROM THE MINUTES

JUN 11 1992

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval to Amend Chapter II by Adding a New Section 10 Relating to the Vice Chancellor for Development and External Relations. --The Board amended the Regents' Rules and Regulations, Part One, Chapter II by adding a new Section 10 to read as set forth below and renumbering the present Section 10 and subsequent Sections accordingly:

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.

The creation of the Office of the Vice Chancellor for Development and External Relations will enhance the ability of The University of Texas System Administration and the component institutions to develop, administer, and coordinate their private fund development efforts and relationships with external constituencies.

EXCERPT FROM THE MINUTES

JUN 11 1992

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 6, Subsection 6.3, Subdivision 6.35 and Subsection 6.(11) (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 6 (Tenure, Promotion, and Termination of Employment) as set forth below:

- a. Subdivision 6.35 of Subsection 6.3 was amended to read as follows:

6.35 Nontenured faculty members who are notified in accordance with Subsection 6.7 that they will not be reappointed or who are notified in accordance with Subdivision 6.23 or Subsections 6.7 or 6.8 that the subsequent academic year will be the terminal year of appointment shall not be entitled to a statement of the reasons upon which the decision for such action is based. Such a decision shall be subject to review only to determine whether the decision was made for reasons that are unlawful under the laws or Constitution of this state or the United States. A review may be granted only in those cases where the affected faculty member submits a written request for a review to the chief administrative officer that describes in detail the facts relied upon to prove that the decision was made for unlawful reasons. If the chief administrative officer determines that the alleged facts, if proven by credible evidence, support a conclusion that the decision was made for unlawful reasons, such allegations shall be heard under the procedures in Subsection 6.3 as in the case of dismissal for cause, with the following exceptions:

- (1) the burden of proof is upon the affected faculty member to establish by the greater weight of the credible evidence that the decision in question was made for reasons that are unlawful under the laws or Constitution of this state or the United States;

- (2) the administration of the institution need not state the reasons for the questioned decision or offer evidence in support thereof unless the affected faculty member presents credible evidence that, if unchallenged, proves the decision was made for unlawful reasons;
- (3) the hearing tribunal shall make written findings and recommendations based on the evidence presented at the hearing and shall forward such findings and recommendations with the transcript and exhibits from the hearing to the chief administrative officer;
- (4) the chief administrative officer may approve, reject, or amend the recommendations of the hearing tribunal or may reach different conclusions based upon the record of the hearing. The decision of the chief administrative officer shall be final.

b. Subsection 6.(11) was amended to read as follows:

- 6.(11) The chief administrative officer of a component institution has the responsibility for determining when to eliminate occupied academic positions, the titles of which are given in Subsection 1.8 of this Chapter, or abandon academic programs or both, subject to approval by the appropriate Executive Vice Chancellor. The decision of the chief administrative officer and the implementation of that decision shall be subject to the following minimum procedural requirements:
- 6.(11)1 An academic program under consideration for abandonment or an academic position that is under consideration for elimination for bona fide academic reasons should be reviewed in depth through procedures determined by the chief administrative officer;
  - 6.(11)2 Tenured faculty in a program that is under consideration for abandonment or in an academic position that is under consideration for elimination will be notified and afforded an opportunity to contribute to the review process and have those contributions fairly considered;
  - 6.(11)3 Upon completion of the review process, a recommendation with supporting rationale should be submitted to the academic vice president for review and recommendation to the chief administrative officer;

- 6.(11)4 If the chief administrative officer determines that an academic program should be abandoned or that one or more academic positions occupied by tenured faculty should be eliminated, or both, a request for approval with supporting documentation should be forwarded to the appropriate Executive Vice Chancellor;
- 6.(11)5 The date for abandoning or phasing out an academic program should take into consideration the time required for anticipated completion by students currently enrolled or to facilitate their placement in acceptable alternative programs;
- 6.(11)6 The administration will notify tenured faculty in a program to be abandoned or in an academic position that is to be eliminated and ask each faculty member to inform the chief administrative officer or designee in writing of the faculty member's request for reassignment to other academic program(s) and to provide details of the faculty member's qualifications to teach in such academic program(s);
- 6.(11)7 The chief administrative officer or designee will meet individually with tenured faculty who respond to discuss possible employment alternatives to termination;
- 6.(11)8 If the decision is not to retain, the chief administrative officer or designee will send a written response stating reasons for not retaining the tenured faculty member;
- 6.(11)9 If retention of a tenured faculty member results in displacement of a tenured faculty member in another area, the displaced faculty member is entitled to above procedures;
- 6.(11)10 Any faculty member whose employment is terminated pursuant to this Subsection shall be informed of applicable benefits available upon termination, such as retirement, accrued leave and opportunity to continue insurance coverage;
- 6.(11)11 U. T. System components should provide appropriate assistance to affected faculty members concerning available alternative employment opportunities.

The amendments to Subdivision 6.35 clarify that appeals of institutional decisions related to nonreappointment of nontenured faculty are limited to allegations of reasons unlawful under the state or federal laws and constitution. Additionally, the amendments provide that the decision of the chief administrative officer, reached following recommendation by the hearing tribunal, is final.

The amendments to Subsection 6.(11), which provide the minimum procedural requirements for academic program and/or position reduction not resulting from financial exigency, comply with a recent decision of the Fifth Circuit Court of Appeals.

EXCERPT FROM THE MINUTES

APR - 9 1992

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter II, Section 12, Subsection 12.1, Subdivision 12.11 (Chief Administrative Officers of Component Institutions).--Chairman Beecherl called the Board's attention to the special item related to proposed amendments to the Regents' Rules and Regulations, Part One, Chapter II, Section 12, Subsection 12.1, Subdivision 12.11 regarding both the composition of and the process for appointments to the Advisory Committee for the Selection of a President. He noted that the proposed recommendations, which were finalized after the Material Supporting the Agenda was prepared and were before the Board on yellow paper, resulted from the Board's experience with The University of Texas at Arlington presidential search process and discussions among Regent Holmes, Regent Temple, and himself. Chairman Beecherl then called on Regent Holmes for his comments.

Regent Holmes expressed appreciation to a number of individuals from the Dallas area who were present at the meeting and who had discussed the composition of the Advisory Committee for the Selection of a President for U. T. Arlington with him. He noted that several individuals had expressed concern that no African-Americans were on the search committee, and he reassured those individuals that there was no deliberate intention to exclude African-Americans from the makeup of that committee. He pointed out that the total ethnic composition of the committee was not known until after it was formed. Regent Holmes indicated that he had conveyed this concern to Chairman Beecherl and had come up with an amendment to the Regents' Rules and Regulations which would prevent this from happening in the future. He noted that the proposed amendments would (1) add representation of two non-faculty employees to an advisory committee and at the option of the Chairman of the Board of Regents one external representative to provide a balance of input from major constituents in the advisory process and (2) include a U. T. Board of Regents' request that campus constituent groups consider diversity in selecting representatives and commits the Chairman to make his or her appointments after campus selections in order to further maximize the potential for diversity in advisory committee composition. The amendment would increase the size of the advisory committee from a maximum of 15 to a maximum of 18 representatives.

Following a detailed discussion and upon motion of Regent Holmes, seconded by Regents Rapoport and Temple, the Board amended the Regents' Rules and Regulations, Part One, Chapter II, Section 12, Subsection 12.1, Subdivision 12.11 regarding the selection of chief administrative officers of component institutions of The University of Texas System to read as set forth below:

- Sec. 12. Chief Administrative Officers of Component Institutions.
- 12.1 The Board selects the chief administrative officer of each component institution.
- 12.11 When there is a vacancy or it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution having faculty and students and the Board does not have candidate(s)

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

The Chancellor;

Two Chief Administrative Officers;

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

Two Regents;

(to be appointed by the Chairman of the Board)

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

One Dean;

(for academic institutions to be selected by Dean's Council of the institution involved) (for health-related institutions to be the Dean of the Medical School involved or in the absence of that position a senior representative of the teaching program of the component selected by the chief administrative officer)

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

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

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 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.

See Page 74 for further reference to these amendments.



EXCERPT FROM THE MINUTES

APR - 9 1992

1. U. T. Board of Regents: Redesignation of the Title of Vice Chancellor for Business Affairs as Executive Vice Chancellor for Business Affairs and Authorization for the Executive Secretary to the Board to Make Appropriate Editorial Changes in the Regents' Rules and Regulations to Conform to This Title Change (Exec. Com. Letter 92-12).--Upon recommendation of the Executive and Business Affairs and Audit Committees, the Board redesignated the title of Vice Chancellor for Business Affairs of The University of Texas System as Executive Vice Chancellor for Business Affairs and authorized the Executive Secretary to the Board of Regents to make such editorial changes in the Regents' Rules and Regulations as are necessary to conform to this redesignation of title.

The redesignation as Executive Vice Chancellor recognizes expanded line and staff responsibilities for such activities as debt service administration and direct operational responsibility for the West Texas lands.

The Executive Vice Chancellor for Business Affairs will continue to be responsible for supporting the activities of the offices of the Executive Vice Chancellors for Academic Affairs and Health Affairs.

EXCERPT FROM THE MINUTES

APR - 9 1992

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter II, Section 6 (Executive Vice Chancellor for Asset Management) and Section 7 (Vice Chancellor for Business Affairs) and Authorization for the Executive Secretary to the Board to Make Appropriate Editorial Changes to the Regents' Rules and Regulations (Exec. Com. Letter 92-11).--The Board, upon recommendation of the Executive and Asset Management Committees, amended the Regents' Rules and Regulations, Part One, Chapter II, Sections 6 (Executive Vice Chancellor for Asset Management) and 7 (Vice Chancellor for Business Affairs) as set forth below and authorized the Executive Secretary to the Board, in consultation with the Vice Chancellor and General Counsel, to make such editorial changes in the remainder of the Regents' Rules and Regulations as are necessary to conform to these amendments.

- a. Section 6 was amended as follows:

Sec. 6. 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.

6.1 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.

6.2 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.

6.3 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:

6.31 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.

6.32 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.

6.33 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.

6.4 Office of Endowment Real Estate. Subject to delegation by the Vice Chancellor for Asset Management, the Executive Director of Endowment Real Estate . . .

b. Section 7 was amended by adding new Subsections 7.2(14) and 7.2(15) and renumbering present Subsection 7.2(14) as Subsection 7.2(16) as set out below:

7.2(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.

7.2(15) Forwarding debt issues for approval by the Board of Regents following the concurrence of the Vice Chancellor for Asset Management.

7.2(16) Performing such other duties as may be assigned by the Chancellor.

- c. To facilitate and implement the transfer of functions set forth in b. above, Subsection 7.322 was amended relating to the responsibilities of the Director of Accounting and a new Section 7.37 was added related to the debt service and bond management programs as set forth below:

7.322 For securities owned by System funds and not in custody of the State Treasurer, having custody of registered securities and joint custodian, with the appropriate authority, of bearer securities maintained in bank lock boxes.

7.37 Executive Director of Finance.  
Subject to delegation by the Executive Vice Chancellor for Business Affairs, the Executive Director of Finance is responsible for:

7.371 Developing and implementing policies and procedures for the general program areas of debt financing, local funds, and cash management.

7.372 Issuing, managing and paying all bonds and other evidences of indebtedness issued by the Board for the System and its component institutions.

7.373 Submitting periodic reports to the Executive Vice Chancellor for Business Affairs concerning the Office of Finance.

The foregoing action redesignates the director of the U. T. System investment operations as a vice chancellor and is intended to signify a more continuing and direct involvement of the vice chancellor with the portfolio investment programs of the U. T. System.

In keeping with the concentration on the importance of the investment function, the basic cash management/treasury functions and the direct responsibility for debt service administration and bonding programs are reassigned to the Executive Vice Chancellor for Business Affairs and in the functional transfer it is specified that the appropriate involvement of the Vice Chancellor for Asset Management be continued.

EXCERPT FROM THE MINUTES

APR - 9 1992

U. T. Board of Regents: Presentations by Representatives of African-American Organizations in the Dallas/Fort Worth Area Related to the Selection of a President for The University of Texas at Arlington and Motion to Continue That Search Process Based on Enlarged Composition of Advisory Committee for the Selection of a President. --Chairman Beecherl reported that an item for consideration in Executive Session is the possible appointment of a President at The University of Texas at Arlington. He noted that, prior to that consideration and as a result of a meeting convened by Regent Holmes on March 24, 1992, in Dallas, Texas, he had agreed to five minute presentations by five African-American organizations with concerns about that search process. Chairman Beecherl then recognized Regent Holmes.

Regent Holmes indicated that several individuals and organizations from the Dallas/Fort Worth/Arlington area had expressed their concerns about the U. T. Arlington presidential search process since there was not an African-American on that search committee. He expressed gratitude to those individuals and organizations for their concerns and for the forum in which they chose to address those concerns. Regent Holmes indicated that he had arranged a meeting with Chairman Beecherl on March 24, 1992, to enable these individuals to express their concerns, and as a result of that meeting, they were granted permission to address the Board.

Regent Holmes then introduced the following speakers:

Dr. Darren Reagan, President of the Black State Employees Association of Texas

Mr. Lee Alcorn, President of the Grand Prairie Branch of the National Association for the Advancement of Colored People (NAACP)

Mr. Allen McGill, representing Mr. Marshall Hodge of the Southern Christian Leadership Conference

Ms. Froswa Booker, a student and President of the NAACP Chapter at U. T. Arlington

Mr. Royce West, an attorney, former President of the Student Congress and member of Alumni Association at U. T. Arlington, and Senator-Elect of District 23.

Dr. Reagan noted that representatives of the coalition of black state employees and other organizations from the Dallas community were present to express their concerns that future advisory committees for the selection of a president be selected to ensure that diversity was represented in the final membership. In future searches, he requested that the coalition of black state employees be a part of the search process and that African-American "headhunters" be hired to participate in the recruitment process. Dr. Reagan stated that continuing with the process of selecting a president for U. T. Arlington would be discriminatory since no African-Americans served on that search committee. He urged the Board to continue its search process and add an African-American to that committee.

Mr. Alcorn thanked the Board for the opportunity to express his views. Following the meeting with Chairman Beecherl and Regent Holmes in Dallas on March 24, 1992, Mr. Alcorn

said he felt there was going to be a good faith effort regarding a delay in the U. T. Arlington presidential search but that on the way to the meeting he had read in a newspaper that the Board had already selected a president for U. T. Arlington. At this point, Regent Holmes reminded Mr. Alcorn that no Board decision had been made related to the selection of a president for U. T. Arlington. Mr. Alcorn then stated that the omission of African-Americans from this search process had been a source of frustration because it creates a broader problem of distrust for those who are trying to encourage educational institutions and other organizations to be more inclusive of diversity. He pointed out that, if the advisory committee is accepted as is, then the conclusion is that what has transpired in this process has been fair because it was conducted with established rules and procedures. Mr. Alcorn indicated there were flaws in the argument that it is too late in the process to consider other candidates and urged the Board to give specific reasons as to why it is too late. He noted that the only reason he had heard is that when you start the process anew you lose good candidates and that argument pales to insignificance when compared to what it would do to the community and public image if the selection process was not reopened. Mr. Alcorn concluded by stating that the Board's decision would define the future of U. T. Arlington and the institution should be one that everyone will embrace and contribute to its continued growth.

Mr. McGill stated that he had sat in previous Board meetings which lasted two hours and walked away with nothing. He noted that there had been discussions about employment, construction contracts, purchasing, and presidential searches but there had not been much cooperation related to these issues. He indicated that to arrange it so at least one African-American ends up on a search committee is insulting, and he, for one, would not accept that as a solution. He emphasized that there should be some reaching out to administrators and implored the Board to find a better way to improve its relationship with the African-American organizations who attend these meetings and speak with sincerity about important issues.

Ms. Booker thanked the Board for the opportunity to discuss the concerns of African-American students at U. T. Arlington and stated that the Board's decision regarding the selection of a president for U. T. Arlington affects the community, the state, and the education and destiny of current and future students. She noted that the new president must be one to understand and include African-Americans, and the new president and the Board need to realize that students of color are concerned about the lack of minority faculty on campus. She noted that currently there are four African-American and five Hispanic tenured faculty at U. T. Arlington. With the demographics changing so quickly in Texas, institutions of learning must prepare students for reality and currently that is not being done in numbers of faculty, course offerings, or in the active recruitment of African-American and Hispanic students. Citing her work with the University Crossroads Program of the Dallas Outreach Center as a teacher of multiculturalism for 150 Hispanic and African-American high school juniors and seniors, she expressed dismay that many of those students wanted to attend U. T. Arlington but other universities such as U. T. Austin, Texas A&M University, and SMU offered scholarships and financial assistance which U. T. Arlington could not equal. She noted that U. T. Arlington has 1,600 African-American students out of 24,000 plus students and the University has not made an effort to recruit more students and bring in community leaders as lecturers to encourage those students to obtain advanced degrees. Ms. Booker

emphasized that the new president must not take the role of follower but the role of trendsetter to provide an inclusive and sensitive environment for students who are different. He or she must be willing to work with students and initiate change before volatile, hostile events occur. The new president cannot place an issue such as pluralism on the back burner. In conclusion, Ms. Booker noted that the students at U. T. Arlington would like to see the institution become number one in its achievements but that will not be possible until the students' voices are heard.

Mr. West expressed appreciation to the Board for the opportunity to address the very significant issue of exclusion of African-Americans from the U. T. Arlington presidential search committee and acknowledged the presence of Mr. Anthony Lyons, a former student at U. T. Arlington who accompanied him to the meeting. Mr. West pointed out that U. T. Arlington is situated in a legislative minority district so this particular selection in the history of the institution is very significant yet African-Americans were excluded. He stated that the decade of the 90's should be the decade of inclusion not exclusion and the Board should send a message that the U. T. System is committed to inclusion. He urged the Board to reconsider the composition of the search committee and to extend the process for at least 90 days. He stated that some may feel the process was fair but it has the appearance of impropriety. Mr. West indicated that the institution would not be hurt if the search was extended another 90 days. He urged the Board to consider the concerns that had been expressed and asked Chairman Beecherl to direct the staff to analyze those concerns, put in place some action plan, and make that action plan available to him before the end of the year -- no later than the second Tuesday in January 1993.

Following these presentations, Regent Holmes stated that he shared the concerns of those individuals and again expressed appreciation for their presence at the meeting. He reaffirmed that the Board had not selected a president for U. T. Arlington but had met on April 8 to interview two finalist candidates for that position.

As a preface to his motion, Regent Holmes noted that his amendment to the Regents' Rules and Regulations, Part One, Chapter II, Section 12, Subsection 12.1, Subdivision 12.11 approved earlier in the meeting indicated that diversity would be considered in the composition of future search committees and that at least one African-American will probably serve on future search committees.

Regent Holmes then moved that, based upon the presentations made and his own feelings, the search for a president for U. T. Arlington be continued with an enlarged search committee as established in the Rules as amended earlier in the agenda and the length of that extended search be determined by the committee.

Chairman Beecherl called for a second on the motion but the motion failed due to a lack of a second.

Regent Temple stated that she served on the search committee for U. T. Arlington and the individuals here today had addressed issues larger than the selection process. She expressed appreciation for their comments on the various issues and noted that the search committee started its work over six months ago and it was a fairly diverse group which included two Hispanics and four women. Mrs. Temple emphasized that the committee was concerned with the issue of diversity, had minorities in the applicant pool, and used a democratic process. She indicated that it is important to



move forward and make a decision on the presidency of U. T. Arlington knowing that the new president will be committed to diversity and will include everyone who wants to be involved.

Vice-Chairman Ramirez pointed out that he shared some of the concerns that had been expressed but the problem was one of well qualified and experienced minority candidates, and he did not think a change in the process would have made the final decision any different. Dr. Ramirez stated that the search process used by Executive Vice Chancellor Duncan had no flaws in it. He emphasized that the appropriate advertisements were placed and there were many applicants but there simply were not enough well qualified African-Americans or Hispanics in the applicant pool from which to choose. Dr. Ramirez stated that he would not support prolonging the search process as he had determined that the process had been fair.

Regent Rapoport stated that he personally resented the character indictments that were made and referenced his 1942 involvement in the initiation of the NAACP at Paul Quinn College.

Vice-Chairman Cruikshank indicated that the record of the search process should be clarified. He noted that the discussion had centered around the search committee and the charge that no African-Americans were on that search committee. However, 87 representatives from the U. T. Arlington campus and community were invited to participate in the finalist interviews and of that 87 (35 females and 52 males), there were ten African-Americans and ten from the Hispanic community so the search process was not conducted in an ethnic vacuum.

In response to Vice-Chairman Cruikshank's comments, Mr. West emphasized that the process discussed today related to the composition of the search committee and that no African-Americans had input on the finalist candidates.

In response to Chairman Beecherl's comment that the African-Americans had input in the selection process, Mr. West noted that they had input after the final applicant pool was decided. He then inquired as to how many African-Americans were finalists and insisted that there is an African-American and Hispanic applicant pool from which to choose.

Regent Moncrief noted that the concerns related to the composition of the search committee were separate from the issue of who could apply for the position. In his opinion, the process was very open in that anyone who was interested could have applied.

In an effort to clarify his failed motion, Regent Holmes indicated that it was in response to the amendment to its Rules that the Board had passed earlier in the meeting that future search committees would be more inclusive. Regent Holmes stated that the reason for enlarging these advisory committees is to ensure that the committees are not exclusive of any group.

In conclusion, Chairman Beecherl indicated that this had been a very emotional process and the Board would need to be more cognizant of the need for diversity in the composition of future search committees.

See Page 3 related to amendment of the Regents' Rules and Regulations, Part One, Chapter II, Section 12, Subsection 12.1, Subdivision 12.11 regarding the composition of the Advisory Committee for the Selection of a President.

EXCERPT FROM THE MINUTES

FEB 13 1992

14. U. T. El Paso: Establishment of the Miner Foundation for Intercollegiate Athletics for Men and Women; Approval to Amend the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3 (Internal Foundations) to Include Miner Foundation; and Establishment of the Miner Foundation Advisory Council.--In December 1984, the U. T. Board of Regents approved an agreement to authorize the El Dorados Organization, a privately incorporated nonprofit organization, to solicit funds on behalf of The University of Texas at El Paso's athletic programs. This approach has served the institution well in the intervening years; however, National Collegiate Athletic Association (NCAA) expectations related to university control over athletic fund raising activities suggest enhanced visibility and fund raising capability could be provided by an internal foundation.

Upon recommendation of the Academic Affairs Committee, the Board:

- a. Approved the resolution set out on Page 243 establishing the Miner Foundation as an internal foundation to benefit Intercollegiate Athletics for Men and Women at U. T. El Paso in accordance with the Regents' Rules and Regulations, Part One, Chapter VII, Section 4, Subsection 4.3 (Internal Foundations)
- b. Authorized the Executive Secretary to the U. T. Board of Regents to add the foundation to the list of approved internal foundations set out in the Regents' Rules and Regulations, Part One, Chapter VII, section 4, Subsection 4.33
- c. Established the Miner Foundation Advisory Council pursuant to the Regents' Rules and Regulations, Part One, Chapter VII, Section 3, with the understanding that nominees to the Miner Foundation Advisory Council will be submitted for approval at a future meeting.

The establishment of an internal foundation will provide assurance of consistent, internal control over fund raising for men's and women's athletic programs. The El Dorados have agreed to mutual termination of the 1984 agreement and ceased activities on behalf of U. T. El Paso as of January 1, 1992.

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EXCERPT FROM THE MINUTES

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendment to Chapter III, Section 5 [Appointment of Relatives (Nepotism Rule)].--Pursuant to action by the 72nd Texas Legislature which changed the existing nepotism statute from a common law to a civil law method, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 5 regarding the appointment of relatives (nepotism rule) by deleting the present nepotism chart (Table 1 as referenced in Subsection 5.22) and inserting in lieu thereof the nepotism chart set out on Page 209.

FEB 13 1992

This redefinition of nepotism is less restrictive than the former law in the provisions regarding the degrees of consanguinity.

COMMENTS BY DR. DARREN REAGAN, PRESIDENT  
OF THE BLACK STATE EMPLOYEES ASSOCIATION OF TEXAS  
BOARD OF REGENTS' MEETING IN SAN ANTONIO, TEXAS  
APRIL 9, 1992

(Regent Holmes introduced Dr. Reagan.)

Good morning. It's time again. I have spoken with you on a number of occasions, and as I decided to talk about this latest matter I wondered what I could say to you all that would be different. There's really not much different that I can say.

Regent Holmes, over the past year, as I look back very little has changed since your appointment to this Board. Very little has changed. There are still the same thought patterns and behavior patterns in terms of real progress. The battles that we as African-Americans have had to fight are still here. We wake up and we go to sleep fighting for our rights, and simply fighting for what is right. I thought that I wouldn't get very emotional but these kinds of issues raise my level of emotionalism.

As I look around here this morning, and going back some 14 to 15 months ago when I first addressed this Board, very little has changed. The ethnic representation has not changed. Some of the same Anglos are still here. We see few Hispanics and almost no African-Americans except for Trennis Jones and Regent Holmes. The eyes of Texans have opened up this date and the eyes of the nation are upon The University of Texas System and how this process of selecting a president of U. T. Arlington has proceeded. I would not dare have you think that I am disillusioned and that I don't understand the politics. I understand that deals were cut before we even got here. I am here to tell you -- Chancellor Hans Mark, Mr. Dan Burck, Dr. James Duncan, and Dr. Charles Mullins -- that you really are all guilty. The Board of Regents is guilty for one of the worst crimes known to mankind -- discrimination against people because of their color. There is a piece of scripture in the Bible that says "The wages of sin is death." Discrimination against someone because of the color of skin is death. This Board is on a collision course with death and this situation reminds me of incidents such as South African apartheid.

Again, looking around this room, in 1992 we are still having these discussions. There is not one African-American as a President nor even as a Vice President and only one African-American on the System staff and that is Trennis Jones. It is a shame. Shame on all of you. I am mad as hell because we have to stand here and talk about this kind of stuff. A change is going to come. I am like Noah. It is going to rain. It is going to rain. Freedom is not free. This theory was not planned on back stabbing and tea sipping. There will be some changes.

SHIP



Thank you for reminding me that I have gone beyond the five minutes, Mr. Dilly.

The Coalition of Black State Employees, NAACP, and other members of the community along with Froswa Booker of U. T. Arlington are here today with some recommendations. I do not know what they will have to say but we all want to bring some answers to the table. You should not continue the process which was discriminatory from the very beginning in that not one African-American was involved in the selection process. In future searches, Mr. Beecherl, the Coalition should be a part of the search process; and the search for the U. T. Arlington presidential slot should be continued and this Board should employ an African-American headhunter to do the recruiting to fill that position. In all future chief executive officer searches within The University of Texas System, Chancellor Mark and Dr. Cunningham I implore you to make it a part of your process that you would initiate contact with an African-American firm.

BEECHERL: Darren, your time is up.

REAGAN: I did not drive all the way here for five minutes to be told to shut up and sit down.

HOLMES: Darren, your five minutes are up.

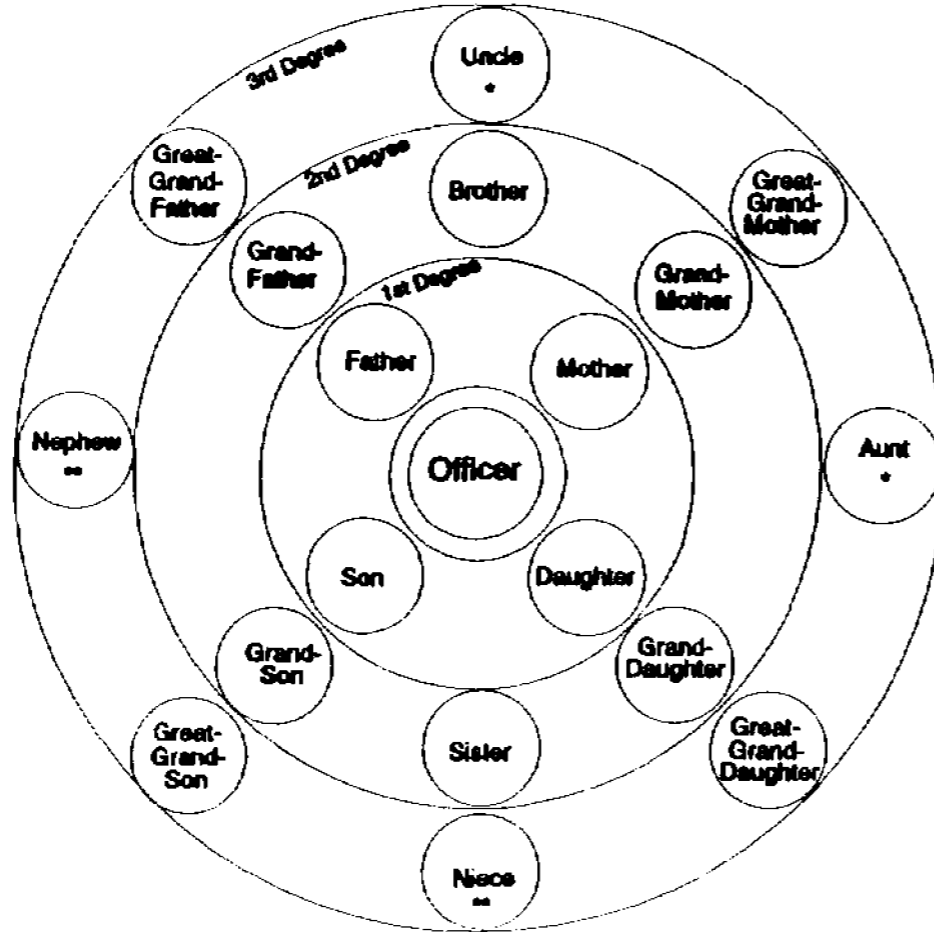
REAGAN: You are partners in crime. You should have done the right thing. Your morals should not allow this. You don't follow your own rules.

BEECHERL: Darren, if you don't sit down, we will have you thrown out.

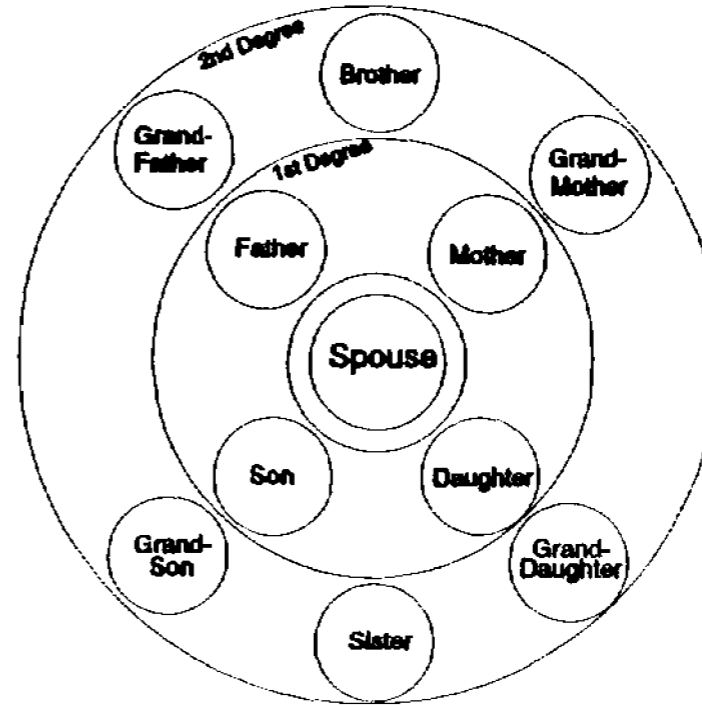
HOLMES: Stood up and said "Darren."

mg  
6/5/92

# CONSANGUINITY KINSHIP



# AFFINITY KINSHIP



- \* Who is a sister/brother of the officer's parent
- \*\*Who is a child of the sister/brother of the officer

Table 1

EXCERPT FROM THE MINUTES

OCT 11 1991 1.

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter VIII, Section 4 (Institutions and Entities Composing the System).--In order to reflect the name change of The University of Texas - Pan

*IV Min. State Assoc.*

*→ VC: I RRR - Part One*

*IV UT Arlington: President*

*Adv Com*

THE UNIVERSITY OF TEXAS SYSTEM

Office of the Board of Regents

Box N - Austin, Texas 78713-7328 (512) 499-4402

*Jan Selection*

*D*

*June 5, 1992*

*Floyd Hacker*

*sent ✓  
6/8/92  
mg*

*Attached is Margaret's verbatim transcription of Mr. Reagan's comments @ the April board meeting in San Antonio.*

*Thought you might want to have a copy for your files.*

*Art*

Mr. Floyd Hacker  
Director of Police  
Colorado Bldg.

EXCERPT FROM THE MINUTES

AUG 8 - 1991 2.

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 4 (Code of Ethics).--In compliance with the current provisions of Article 6252-9b of Texas Revised Civil Statutes and a recent request from the Secretary of State that sworn employee disclosure forms no longer be sent to that office, the Board amended the Regents' Rules and Regulations, Part One, Chapter III, Section 4 (Code of Ethics) to read as set forth below:

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.
- 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.



EXCERPT FROM THE MINUTES

REPORTS AND RECOMMENDATIONS OF STANDING COMMITTEES

REPORT OF EXECUTIVE COMMITTEE (Pages 39 - 46).--In compliance with Section 7.14 of Chapter I of Part One of the Regents' Rules and Regulations, Chairman Beecherl reported to the Board for ratification and approval all actions taken by the Executive Committee since the last meeting. Unless otherwise indicated, the recommendations of the Executive Committee were in all things approved as set forth below:

JUN - 6 1991

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Approval of Amendments to Chapter I, Section 7, Subsections 7.15, 7.18, and 7.19 to Change the Name of Certain Standing Committees and to Reassign Certain Duties and Responsibilities Among These Committees and Authorization for the Executive Secretary to the Board to Make Appropriate Editorial Changes Therein (Exec. Com. Letter 91-19).--Upon recommendation of the Executive Committee, approval was given to amend the Regents' Rules and Regulations, Part One, Chapter I, Section 7, Subsections 7.15, 7.18, and 7.19 to read as set forth below to change the name of certain Standing Committees of the Board and to reassign certain duties and responsibilities among these committees.

Further, approval was granted for the Executive Secretary to the Board of Regents to make such editorial changes in the remainder of the Regents' Rules and Regulations as are necessary to conform to these amendments.

These changes were designed to more closely mirror the organization of The University of Texas System Administration and to clarify the U. T. System Administration official to whom that committee most closely relates.

- 7.15 Duties of the Business Affairs and Audit Committee.--The Business Affairs and Audit Committee shall:
  - 7.151 Counsel with the Chancellor and recommend appropriate Board action with respect to any recommendations by the Chancellor related to the appointment, promotion, and dismissal of such System Administration Officers as report directly or indirectly to the Chancellor.
  - 7.152 Recommend to the Board all compensation for the System Administration and the rates of professional compensation.
  - 7.153 Consider and recommend to the Board matters related to all employee personnel programs, fringe benefits, retirement programs, and labor relations in the System Administration and the component institutions.
  - 7.154 Obtain, review, and report to the Board on all State Auditor's Reports and Management Letters and System and institutional internal audit reports.
  - 7.155 Approve the System-wide internal audit plan.

- 7.156 Transmit to the Chancellor, subject to the prior approval of the Board, such instructions as it deems necessary for the implementation of appropriate internal auditing practices.
- 7.157 Initiate System and institutional audits as deemed necessary to ensure management control within The University of Texas System. (In this regard, the System Director of Audits reports to the Chairman of the Business Affairs and Audit Committee.)
- 7.158 Consider and make recommendations to the Board on all matters relating to the fiscal management of The University of Texas System Administration and each component institution of the System.
- 7.159 Following consultation with the Academic Affairs Committee and the Health Affairs Committee, consider and recommend to the Board the operating budgets of The University of Texas System Administration and each component institution of the System.
- 7.15(10) Following consultation with the Academic Affairs Committee and the Health Affairs Committee, consider and recommend to the Board biennial submissions of appropriation requests to the Legislative Budget Board and to the Governor as prepared by the System Administration and component institutions in accordance with Section 6 of Chapter II of Part Two of these Rules and Regulations.
- 7.15(11) Propose to the Board all appropriations of funds and all modifications of or additions to such appropriations.
- 7.15(12) Following consultation with the Academic Affairs Committee and the Health Affairs Committee, recommend to the Board matters which commit the U. T. System or any component thereof to operating expenditures in future fiscal years.
- 7.15(13) Consider and make recommendations to the Board concerning the availability of funds for, and application of funds to, capital improvement requests.
- 7.15(14) Consider and make recommendations on all matters relating to management of the lands constituting the permanent endowment of the University, including oversight of the offices of University Lands - Surface and Mineral Interests.
- 7.15(15) Counsel with the Chancellor and recommend Board action with respect to any recommendations related to the appointment, promotion, and dismissal of such System officers as are responsible for managing the lands of the System or any component thereof.

- 7.18 Duties of the Facilities Planning and Construction Committee.--The Facilities Planning and Construction Committee shall:
- 7.181 Consider matters relating to the acquisition and use of the grounds and buildings of all campus and campus-related real property of The University of Texas System.
  - 7.182 Recommend to the Board the award of contracts to consulting and other architects; approve plans and accept bids for construction projects.
  - 7.183 Recommend to the Board the award and execution of construction and equipment contracts and approve progress reviews and beneficial occupancy of construction projects.
  - 7.184 Consider capital improvement requests and, with the prior approval of the Academic or Health Affairs Committee, make recommendations to the Board.
  - 7.185 Make recommendations to the Board with respect to the naming of University buildings, streets, roads, and other facilities including redesignation of existing facilities.
- 7.19 Duties of the Asset Management Committee.--The Asset Management Committee shall:
- 7.191 Consider and make recommendations to the Board on all matters relating to the investment and investment properties of the Permanent University Fund and all trusts and special funds.
  - 7.192 Recommend to the Board the acceptance of all gifts, grants, and bequests for endowment purposes.
  - 7.193 Consider and make recommendations on all matters relating to the acquisition, management, and sale of trust property and special funds, and the issuance of bonds.
  - 7.194 Recommend to the Board appointments and dismissals of members of the Investment Advisory Committee and of investment consultants and advisors.
  - 7.195 Periodically report to the Board on the investment operations of The University of Texas System.
  - 7.196 Counsel with the Chancellor and recommend Board action with respect to any recommendations related to the appointment, promotion, and dismissal of such System officers as are responsible for managing the investments of the System or any component thereof.

EXCERPT FROM THE MINUTES

APR 11 1991

2. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 1, Subsection 1.4 (Appointments); Section 2 (Classified Personnel Systems); Section 6, Subsection 6.(11) (Tenure, Promotion, and Termination of Employment); Section 10, Subsection 10.3 (Communications, Appeals, and Hearings); and Section 13, Subsection 13.7 (Outside Employment).--Upon recommendation of the Personnel and Audit Committee, the Board amended the Regents' Rules and Regulations, Part One, Chapter III as set forth below:

- a. Subsection 1.4 of Section 1 was amended to read as follows:

Sec. 1. Appointments.

- 1.4 The chief administrative officers of the component institutions shall not nominate or appoint, nor will the Board approve the appointment of, any person whose qualifications and conduct are not exemplary.

- b. Section 2 was amended by moving the current text of Section 6, Subsection 6.(11) to Section 2, renumbering Subsection 6.(11) as Subsection 2.4 and revising same, and adding a new Subsection 2.5 to read as follows:

Sec. 2. Classified Personnel Systems.

- 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.

- c. Section 6 was amended by renumbering the first paragraph of subsection 6.(12) as Subsection 6.(11).

- d. Subsection 10.3 of Section 10 was deleted.

- e. Section 13, Subsection 13.7 was amended to read as follows:

Sec. 13. Outside Employment.

- 13.7 Every member of the faculty or staff who gives professional opinions must protect the System and its component institutions against the use of such opinions for advertising purposes. If the employee does work in a private capacity, the employee must make it clear to those who employ him or her that the work is unofficial and that the name of the System and its component institutions is not in any way to be connected with the employee's name, except when used to identify the employee as the author of work related to the employee's academic or research area and produced as books, pamphlets, articles in periodicals, and films, tapes or software

EXCERPT FROM THE MINUTES

APR 11 1991

- 1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter VIII, Section 4, Subsection 4.3, Subdivision 4.39 (Institutions and Entities Composing the System).--In order to reflect the administratively approved new name for the Institute of Urban Studies (the academic unit administering degrees in urban and public affairs) at The University of Texas at Arlington, the Board amended the Regents' Rules and Regulations, Part One, Chapter VIII, Section 4, Subsection 4.3, Subdivision 4.39 (Institutions and Entities Composing the System) as set forth below:

|     | <u>Full Title</u>   | <u>Short Title</u>                                       |
|-----|---|--|
| 4.3 | The University of Texas<br>at Arlington   | U. T. Arlington  |
|     | 4.39 The University of<br>Texas at Arlington<br>School of Urban<br>and Public Affairs | U. T. Arlington<br>School of Urban<br>and Public Affairs |

The title of Institute of Urban Studies will be retained to refer to the special unit administered by the school for the purposes of carrying out research and public service activities as authorized by Section 75.01 et seq., Texas Education Code.

EXCERPT FROM THE MINUTES

APR 11 1991

- I. U. T. Board of Regents: Authorization to Restructure U. T. System Audit Office and Approval of Amendments to the Regents' Rules and Regulations - (a) Part One, Chapter I, Section 7, Subdivision 7.15 (Duties of the Personnel and Audit Committee); (b) Part One, Chapter II, Section 3, Subsection 3.3 (Audit); and (c) Part Two, Chapter II, Section 3 (Auditing).--In order to comply with the Texas Internal Auditing Act (Article 6252-5d, Vernon's Texas Civil Statutes) and the interpretation of the State Auditor's Internal Audit Policy Statement published on September 24, 1990, the Board approved the restructuring of The University of Texas System Audit Office and amended the Regents' Rules and Regulations, Parts One and Two related thereto as follows:

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

7.15 Duties of the Personnel and Audit Committee.--The Personnel and Audit Committee shall:

- 7.154 Obtain, review, and report to the Board on all State Auditor's Reports and Management Letters and System and institutional internal audit reports.
- 7.155 Approve the System-wide internal audit plan.
- 7.156 Transmit to the Chancellor, subject to the prior approval of the Board, such instructions as it deems necessary for the implementation of appropriate internal auditing practices.
- 7.157 Initiate System and institutional audits as deemed necessary to ensure management control within The University of Texas System. (In this regard, the System Director of Audits reports to the Chairman of the Personnel and Audit Committee.)

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

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

- 3.31 System Director of Audits.  
The System Director of Audits is responsible for coordinating the effective auditing of the System as set out in Subdivision 3.312 of this Chapter. The System Director of Audits provides audit assistance to the Chancellor, the Executive Vice Chancellors and the Vice Chancellors in the exercise of their responsibilities.
- 3.311 Appointment and Tenure.  
The System Director of Audits shall be appointed by the Board after nomination by the Chancellor. The System Director of Audits shall hold office without fixed term, subject to the pleasure of the Chancellor. The Chancellor's actions regarding the System Director of Audits are subject to review and approval by the Board.
- 3.312 Duties and Responsibilities.  
The primary responsibilities of the System Director of Audits include:
- 3.3121 Developing a System-wide internal audit plan based on a System-wide risk assessment and coordinating the implementation of this plan with the institutional internal auditors. This System-wide audit plan is submitted to the Personnel and Audit Committee for approval after the Chancellor's review and approval.
- 3.3122 Conducting audits of the System including the revenue produced from the Permanent University Fund lands.
- 3.3123 Formulating policies for the internal audit activity at each component institution.
- 3.32 The System internal auditors are the internal auditors for the System and augment the audit work of the institutional internal auditor and the State Auditors at the component institutions.

- c. Part Two, Chapter II, Section 3 was amended to read as follows:

Sec. 3. Auditing.

- 3.1 Internal auditors are responsible for reviewing, evaluating, and reporting on the institution's system of internal administrative and accounting controls and the efficiency and effectiveness of the operations when compared with established standards. The internal auditors are to have no authority or responsibility for the activities they audit. The objective of internal auditing is to assist the chief administrative officer in the effective discharge of his or her responsibilities by furnishing objective analyses, appraisals and recommendations concerning the activities reviewed. To accomplish these objectives, the internal auditor is authorized to have full, free and unrestricted access to all property, personnel and records. The examination of patient medical records must serve a genuine audit need; and individual patients should not be identified in any audit report. The Texas Internal Auditing Act, the Standards for the Professional Practice of Internal Auditing published by the Institute of Internal Auditors, Inc. and "College and University Business Administration" published by the National Association of College and University Business Officers shall serve as guidelines for internal audit activities.
- 3.2 Each institution is expected to maintain an internal audit staff unless otherwise exempt from this requirement by the Chancellor. The institutional internal auditor reports to the institutional chief administrative officer or the institutional audit committee. The institutional internal auditor submits an annual audit plan for approval by the chief administrative officer and forwards a copy to the appropriate Executive Vice Chancellor and the System Director of Audits.
- 3.3 The System Director of Audits shall seek input into the System-wide audit plan from the institutional internal auditors. The implementation of the System-wide internal audit plan will be coordinated with the institutional internal audit



plans to insure major risks are addressed yet duplication of effort is minimized.

- 3.4 The State Auditor's Office, as part of the legislative branch of state government, is the external independent auditor of The University of Texas System. The State Auditor's Office conducts financial and performance audits and makes recommendations for improving financial and management controls within The University of Texas System. The State Auditor's Office reviews The University of Texas System's internal control structure and operations to determine the scope of the examination and reliability of the entity's financial and nonfinancial data. The internal audit function is considered a part of the internal control structure of The University of Texas System.

EXCERPT FROM THE MINUTES

APR 11 1991

3. U. T. Board of Regents - Regents' Rules and Regulations: Approval to Amend (a) Part One, Chapter III, Section 27, Subsection 27.3 (Power to Authorize Expenditures Out of System Funds); (b) Part Two, Chapter IV, Section 4 (Purchase of Supplies and Equipment) and Section 7 (Purchases by and from Employees); and (c) Part Two, Chapter VII, Section 8, Subsection 8.6 (Disposal of Property of the System).--Approval was given to amend the Regents' Rules and Regulations, Parts One and Two as set forth below:

- a. Subsection 27.3 of Section 27, Chapter III, Part One was deleted.
- b. Part Two, Chapter IV, Section 4 was amended to read as follows:

Sec. 4. Purchases of Supplies and Equipment.

- 4.1 The State Purchasing and General Services Act, Article 601b, Vernon's Texas Civil Statutes, shall govern the purchasing policies of the System.
- 4.2 The State Purchasing and General Services Act does not apply to purchases of supplies, materials, services, or equipment:
- (a) for resale;
  - (b) for Auxiliary Enterprises;
  - (c) for Organized Activities Relating to Instructional Departments; or
  - (d) from gifts or grants, including those in support of research.

- c. Part Two, Chapter IV, Section 7 was amended to read as follows:

Sec. 7. Purchases by or from Employees.--Purchases are not permitted from any officer or employee of the System unless the cost is less than that from any other known source and until approved by the component chief administrative officer and the appropriate Executive Vice Chancellor. Sealed bid purchases of equipment or property by employees may be made only after authorization by the chief administrative officer and the appropriate Executive Vice Chancellor. Details of such transactions shall be reported in the Dockets or Minutes of the Board. Approval and reporting are not required for purchases made at public auction.

- d. Part Two, Chapter VII, Section 8, Subsection 8.6 was amended to read as follows:

Sec. 8. Disposal of Property of the System.

- 8.6 Sales to employees are governed by the provisions of Part Two, Chapter IV, Section 7 of these Rules.
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EXCERPT FROM THE MINUTES

FEB 14 1991

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter II, Section 7 (Vice Chancellor for Business Affairs) and Section 11 (Councils of the System) and Authorization for the Executive Secretary to the Board to Make Appropriate Editorial Changes Therein.--Upon recommendation of the Personnel and Audit Committee, the Board amended the Regents' Rules and Regulations, Part One, Chapter II, Section 7 (Vice Chancellor for Business Affairs) and Section 11 (Councils of the System) as follows:

- a. Section 7, Subsection 7.2, Subdivision 7.2(10) was amended to read as follows:

7.2 Duties and Responsibilities.

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

- 7.2(10) Managing the operations of the offices of Facilities Planning and Construction, Budget and Fiscal Policy, System Personnel, Police, West Texas Lands Management (Surface Interests and Oil, Gas and Mineral Interests), Management Information Systems and Special Services.

- b. Section 7, Subsection 7.3 was amended to read as follows:

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

7.31 Director of the Office of Budget and Fiscal Policy. The primary responsibilities of the Office of Budget and Fiscal Policy are to plan and develop systems and procedures for uniform budget preparation, budget control and financial reporting and to formulate, recommend and implement procedures to be followed in the business operations of the System. Subject to delegation by the Vice Chancellor for Business Affairs, the major duties and responsibilities of the Director of the Office of Budget and Fiscal Policy include:

7.311 Budget Duties and Responsibilities.

- 7.3111 Formulating procedures governing the preparation and review of all budgets and developing effective methods

- of presenting approved budgets to appropriate agencies.
  - 7.3112 Recommending procedures to be followed, including format, schedules of budget preparation, and effective review of budgets.
  - 7.3113 Preparing budget-writing instructions.
  - 7.3114 Conducting budget and other related research studies.
  - 7.3115 Planning systems and procedures for budgetary control and financial reporting.
  - 7.3116 Controlling and supervising distribution of all budgets and processing and approving (as delegated) interim budget changes.
  - 7.3117 Preparing periodic budgetary, financial, and special reports, as appropriate.
  - 7.3118 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.
- 7.312 Business Operations Duties and Responsibilities.
- 7.3121 Accounting, reporting, and expenditure control.
  - 7.3122 Data processing systems - including prior approval of equipment acquisitions by purchase or lease.
  - 7.3123 Accounting and business system development.
  - 7.3124 Accounting records, forms, procedures, and financial reports, including format for such reports.
  - 7.3125 Lease contracts for building space.

- 7.3126 Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
- 7.3127 University Lands Accounting Office.
- 7.3128 Investment Accounting Office.

7.32

Director of Accounting.

The Director of Accounting of The University of Texas at Austin serves also as director of accounting for System Administration and is the accounting officer for both The University of Texas at Austin and for System Administration. With respect to System Administration matters, the Director of Accounting reports to and is responsible to the Director of the Office of Budget and Fiscal Policy. With respect to other matters, the Director reports to the appropriate officers of The University of Texas at Austin. Subject to delegation by the Vice Chancellor for Business Affairs, the duties of the office include:

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

- c. Present Section 7, Subsection 7.3, Subdivision 7.34 was renumbered as Subdivision 7.33 and a new Subparagraph 7.339 was added to read as follows:

7.33 Director of Facilities Planning and Construction.

7.339 Coordinating compliance with federal and state accessibility standards applicable to new construction and major repair and rehabilitation of the System and the component institutions.

- d. Present Section 7, Subsection 7.3, Subdivision 7.35 was renumbered as Subdivision 7.34.

- e. Present Section 7, Subsection 7.3, Subdivision 7.36 was renumbered as Subdivision 7.35 and Subparagraphs 7.35(11) and 7.35(12) were amended to read as follows:

7.35 Director of Police.

7.35(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.

7.35(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.

- f. Present Section 7, Subsection 7.3, Subdivision 7.37 was renumbered as Subdivision 7.36.

- g. Section 11 was amended to read as set forth below:

Sec. 11. Councils of the System.

11.1 The System Council.

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

- 11.2 The Council of Academic Institutions.  
The Council of Academic Institutions is composed of the Executive Vice Chancellor for Academic Affairs and the chief administrative officers of the general academic institutions of the System. The Chancellor, the Executive Vice Chancellor for Asset Management, the Vice Chancellor for Business Affairs, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive 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.
- 11.3 The Council of Health Institutions.  
The Council of Health Institutions is composed of the Executive Vice Chancellor for Health Affairs and the chief administrative officers of the component institutions of the System concerned directly with health affairs. The Chancellor, the Executive Vice Chancellor for Asset Management, the Vice Chancellor for Business Affairs, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive 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.
- 11.4 The Business Management Council.  
The Business Management Council advises the System Administration in the areas of component budgeting, business management, data processing, physical plant operations, planning, construction, and accounting systems development. The Council is composed of the Vice Chancellor for Business Affairs and the chief business officers of the component institutions. The Chancellor, the Executive Vice Chancellor for Academic Affairs, the Executive Vice Chancellor for Health Affairs, the Executive Vice Chancellor for Asset Management, the Vice Chancellor and General Counsel, the Vice Chancellor for Governmental Relations, the Executive 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 Vice Chancellor for Business Affairs shall serve as the Council's permanent chairman and shall conduct regular meetings of the Council.

Further, approval was granted for the Executive Secretary to the Board of Regents, in consultation with the Office of General Counsel, to make such editorial changes in the remainder of the Regents' Rules and Regulations as are necessary to conform to the foregoing changes.

The amendments to Section 7 primarily codify the merger of the Budget Office and the Comptroller's Office into the Office of Budget and Fiscal Policy within the Office of Business Affairs. The changes to Section 11 acknowledge the creation of the position of Executive Director for Public Affairs and Development.



EXCERPT FROM THE MINUTES

OCT 12 1990

1. U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter III, Section 1, Subsection 1.8, Subdivision 1.83 (Academic Titles).--In order to allow certain individuals of component institutions of The University of Texas System to be appointed as Lecturer or Senior Lecturer for a renewable term of up to three years, the Board, upon recommendation of the Academic Affairs and Health Affairs Committees, amended the Regents' Rules and Regulations, Part One, Chapter III, Section 1, Subsection 1.8, Subdivision 1.83 (Academic Titles) to read as set forth below:

1.8 Academic Titles

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

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

EXCERPT FROM THE MINUTES

OCT 12 1990

U. T. Board of Regents - Regents' Rules and Regulations, Part One: Amendments to Chapter II, Sections 6 and 7 Regarding the Delegation of Authority for the University Lands Accounting Office and the Management of the Permanent University Fund Lands.--Pursuant to action by the U. T. Board of Regents in August 1990, the Board, upon recommendation of the Personnel and Audit Committee, amended the Regents' Rules and Regulations, Part One, Chapter II, Sections 6 and 7 as set out below. These changes involve primarily the shift of reporting responsibility for the University Lands Accounting Office and the management of the Permanent University Fund Lands to the Vice Chancellor for Business Affairs.

Sec. 6. Executive Vice Chancellor for Asset Management.

The Executive Vice Chancellor for Asset Management has line responsibility for the conduct of all investments and for the management of the assets of the System. The Offices of Asset Management, Finance, Investments, Endowments and Trusts, and Endowment Real Estate report to and are responsible to the Executive Vice Chancellor for Asset Management. The Executive Vice Chancellor for Asset Management reports to and is responsible to the Chancellor. The Executive Vice Chancellor for Asset Management has direct access to the Board of Regents and is expected to work directly with the appropriate committees of the Board in discharging the duties of the office.

6.1 Appointment and Tenure.

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

6.2 Duties and Responsibilities.

The Executive Vice Chancellor for Asset Management has responsibility for 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 and management

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

6.3 Officers for Finance, Investments, and Endowments and Trusts.

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

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

development and management of the economic resources of the System and its component institutions.

- 6.4 Office of Endowment Real Estate.  
Subject to delegation by the Executive 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:
- 6.41 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.
  - 6.42 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.
  - 6.43 Be responsible to the Vice Chancellor for Business Affairs for the acquisition or disposal of nonendowment and campus lands.

Sec. 7. Vice Chancellor for Business Affairs.

The Vice Chancellor for Business Affairs reports to the Chancellor and is responsible for the direction of those offices and supervision of those areas of responsibility set forth in Section 7.3 of this Chapter. The Vice Chancellor for Business Affairs provides staff assistance to the Chancellor and the Executive Vice Chancellors in the exercise of their responsibilities. The Vice Chancellor for Business Affairs has direct access to the Board of Regents of The University of Texas System and is expected to work directly with the appropriate committees of the Board in discharging the duties of the office.

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

7.2 Duties and Responsibilities.

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

- 7.21 The provision of staff assistance to the Chancellor and the Executive Vice Chancellors in the execution of their responsibilities.
- 7.22 Submitting recommendations to the Chancellor and to the appropriate Executive Vice Chancellor on business operations of the components of the System.
- 7.23 Reviewing and making recommendations on uniform business systems and management.
- 7.24 Submitting recommendations relating to programs for the most efficient management of personnel and resources.
- 7.25 Submitting recommendations for program development for training of personnel in nonacademic areas.
- 7.26 Reviewing and making recommendations on programs of long-range planning for physical facilities and financial resources.
- 7.27 Reviewing and making recommendations relating to police and security matters within the System.
- 7.28 Coordinating the business affairs of the System with other officers and members of the System Administration staff.
- 7.29 In consultation with the appropriate Executive Vice Chancellor, coordinating the activities of business administrative operations of the component institutions.
- 7.2(10) Managing the operations of the offices of Facilities Planning and Construction, Budget, Comptroller, System Personnel, Police, West Texas Lands, Management Information Systems and Special Services.
- 7.2(11) Supervising and coordinating the acquisition and/or disposition of all nonendowment and campus lands at the component institutions and the U. T. System.
- 7.2(12) Directing the management of the purchasing, accounting, equipment inventories, and voucher-ing operations for the offices of the System Administration and coordinating the building services for the System buildings.

7.2(13) Directing the management of the System-wide insurance programs (except the System Plan for Professional Medical Liability Self-Insurance), including approval of all policies and coverages, such programs to include:  
Fire and Extended Coverage;  
Liability;  
Health;  
Life;  
Accidental Death and Dis-  
memberment;  
Income Replacement; and  
Retirement.

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

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

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

7.329 University Lands  
Accounting Office.

7.37 West Texas Lands Management.  
The 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 Vice Chancellor for Business Affairs:

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

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

- 7.373 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).
- 7.374 Manager of University Lands - Oil, Gas, and Mineral Interests. Subject to delegation by the Vice Chancellor for Business Affairs, the Manager of University Lands - Oil, Gas, and Mineral Interests is responsible for providing field supervision of System operations, activities and transactions involving oil, gas, and mineral development and production on the University Lands. Within limits of authority set by the Vice Chancellor for Business Affairs, the Manager's regular duties include:
- 7.3741 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.
- 7.3742 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him or her.
- 7.3743 Reviewing periodically the terms and conditions of forms and transactions involving oil and gas interests in University Lands, and making recommendations thereto to the Vice Chancellor for Business Affairs and the Board for Lease of University Lands.

- 7.3744 Reporting regularly to the 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.
- 7.3745 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
- 7.3746 Coordinating with the Manager of University Lands - Surface Interests in the discharge of their respective duties and responsibilities.
- 7.375 Manager of University Lands - Surface Interests. Subject to delegation by the 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 Vice Chancellor for Business Affairs, the Manager's regular duties include:
  - 7.3751 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.
  - 7.3752 Organizing, directing, guiding, setting objectives and standards for, and assigning and evaluating the work of all personnel reporting to him or her.



- 7.3753      Reviewing periodically the terms and conditions of forms and transactions involving surface interests in University lands, and making recommendations with respect thereto to the Vice Chancellor for Business Affairs.
- 7.3754      Reporting regularly to the 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.
- 7.3755      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.
- 7.3756      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.