

**STATEMENT BY CHAIRMAN SHIVERS RELATING TO TITLE CHANGES
IN REVISION OF REGENTS' RULES AND REGULATIONS, PARTS ONE
AND TWO; APPOINTMENT OF POLICY COMMITTEE. --Chairman Shivers
read the following statement relating to title changes in the revision of the
Regents' Rules and Regulations including the appointment of a Policy Com-
mittee:**

"The changes in System Administration titles authorized at the last meeting of the Board of Regents, coupled with the amendments to the Regents' Rules and Regulations approved today, complete the implementation of an administrative design initiated about two years ago.

"The University of Texas System is now an immense academic, research, and public service enterprise. It represents an educational opportunity for about 100,000 students, a source of compensation for over 40,000 personnel, an annual budgeted expenditure from all funds for this year in excess of \$750 million, and leadership in higher education for this state and nation which must be effectively and efficiently administered both at operational and executive levels.

"The Board of Regents is convinced that, in the division of responsibilities between Chancellor LeMaistre as chief executive officer and President Walker as chief operating officer, an administrative design has been found that utilizes the talents and expertise of both men to the maximum benefit of The University of Texas System.

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"In recent years the number and importance of external groups and constituencies which have the potential to impact upon The University of Texas System have increased significantly. Higher education has found it essential for survival to develop the competence to deal effectively with those external forces which threaten the integrity and influence the future of higher education. While many of these factors relate to the pervasive influence of the spending power of the federal purse, the concerns of the business and economic community and the field of private philanthropy with regard to the value of higher education have required increased attention. Of necessity, the role of Chancellor, as chief executive officer of the system, has increasingly become an external one designed to ensure and enhance the governmental, business, and philanthropic climate in which The University of Texas System could continue to develop and attain the standards of excellence to which we are all committed.

"Two years ago Chancellor LeMaistre recognized the importance of this trend and recommended that the Chancellor be freed of ongoing day-to-day administration to deal with issues of long-range significance. During the last two years, I have worked closely with Chancellor LeMaistre on most difficult and time-consuming issues of great consequence to The University of Texas System. Chancellor LeMaistre has been eminently successful in a wide range of activities from preservation of the Permanent University Fund to indirect cost support of research, from health manpower policies to higher education's creditability, from international education to maintaining access to higher education for all Texans. These are but a few of those from the past, and the list of upcoming challenges is even more impressive.

"I believe this area to be one of increasingly vital significance to The University of Texas System and one we dare not neglect. Today I am appointing a committee of Regents to be known as the Policy Committee to serve this important need. The Chairman of the Board will chair the committee and Vice-Chairman Williams and Regent Law will serve as members. Working closely with Chancellor LeMaistre, the committee will meet periodically and address itself to the broad question of higher education and public policy as it applies to our institutions. Only by effective and realistic planning and the subsequent translation into policy can The University of Texas System hope to enhance its mandate as a 'University of the first class.'

"With Chancellor LeMaistre's permission, I want to close this statement on a personal note.

"Eighteen months ago, Dr. LeMaistre initiated confidential discussions with regard to his strong personal desire to return to duties more directly related to medical education and administration but only at a time convenient to the Board of Regents. Various combinations of circumstances, political uncertainties, and programmatic brush-fires dictated that I not concur in his desire in the past, and he gracefully accepted my decision each time we discussed the matter.

"Several months ago he again accepted my judgment on the matter, but this time my reasons were different. I know of no other individual who can perform the difficult and sensitive assignments of the Chancellor as well as Dr. LeMaistre, and I hope the Board of Regents joins unanimously in that statement. We are pleased that he will continue in this role."

The statement was unanimously adopted and ordered placed in the Minutes.

Pantone

COMMITTEE OF THE WHOLE
(Pages 70 - 269)

Chairman Shivers filed the following report of the Committee of the Whole; all action of which had been taken in open session. This report was adopted without objection:

BOARD OF REGENTS: REVISION OF REGENTS' RULES AND REGULATIONS, PARTS ONE AND TWO TO CONFORM TO 1977-78 OPERATING BUDGET AND TO LEGISLATION RELATING TO UNIVERSITY ENACTED BY 65TH LEGISLATURE, R.S., 1977. --In accordance with authorization granted at the July 29, 1977, meeting of the Board of Regents, the Regents' Rules and Regulations, Parts One and Two had been revised by the General Counsel under the direction and supervision of the President of the System, and copies had been circulated to members of the Board of Regents by the Secretary prior to the meeting.

At the request of Chairman Shivers, System President Walker explained the changes in the proposed revision. With two or three exceptions, the changes conform the Rules and Regulations to the 1977-78 Operating Budget adopted at the meeting on July 29, 1977, and to legislation relating to the University that was enacted by the 65th Legislature, R.S., 1977.

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Regent Clark moved, seconded by Regent Bauerle, that the revised Regents' Rules and Regulations, Parts One (Pages 70-158) and Two (Pages 159-230) be substituted for the current Rules and Regulations originally adopted in January 1960 and amended periodically thereafter.

After a discussion, the motion prevailed by unanimous vote, and without objection the necessary rules were waived and the revised Rules and Regulations became effective immediately.

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

PART ONE

Adopted by the Board of Regents on September 16, 1977

Explanatory Statement

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

These Rules and Regulations are published in loose-leaf form to facilitate their being kept current. As promptly as possible after an amendment is approved, the Secretary will distribute new pages bearing the amended text.

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CHAPTER I

BOARD OF REGENTS

- Sec. 1. Authority. The Legislature, which is given the duty and authority to provide for the maintenance, support, and direction of The University of Texas by Article VII, Section 10, of the Texas Constitution, has delegated the power and authority to administer The University of Texas System to the Board of Regents in broad terms. (See Sections 65.11 et. seq. Texas Education Code.) Texas cases construing these statutes have held that the Board of Regents has wide discretion in exercising its power and authority and that the rules adopted by the Board of Regents have the same force as statutes. Foley v. Benedict, 122 Tex. 193, 55 S.W. 2d 805 (1932) Rainey v. Malone, 141 S.W. 2d 713 (Tex. Civ.App., 1940, no writ history); Morris v. Nowotny, 323 S.W. 2d 301 (Tex. Civ.App., 1959, writ refused, n.r.e.; cer. den., 361 U.S. 889, 80 S.Ct. 164, 4 L.Ed. 2d 124). The System's lands and buildings are state property subject to the control of the Board of Regents as the state's agent. Splawn v. Woodard, 287 S.W. 677 (Tex.Civ.App., 1926, no writ history); Walsh v. University of Texas, 169 S.W. 2d 993 (Tex.Civ.App., 1942, writ refused).
- Sec. 2. Composition.--The Board of Regents (hereinafter sometimes referred to as "Board") is composed of nine members appointed by the Governor, with the advice and consent of the Senate, for staggered terms of six years each, the terms of three members expiring on January 10th of odd-numbered years.
- Sec. 3. Chairman of the Board.
- 3.1 Election of Chairman.--The Chairman of the Board shall be elected by the Board from its number, shall serve at the pleasure of the Board, and shall report and be responsible to the Board. In case of the death, resignation, disability, removal, or disqualification of the Chairman, the Board shall elect a successor Chairman as soon as practicable. In no event shall a Board member serve as Chairman for more than 24 consecutive months without submitting his or her resignation as Chairman, but such member shall be eligible for re-election as Chairman.

- 3.2 Duties of the Chairman.** --The duties and responsibilities of the Chairman shall include the following:
- 3.21** The Chairman shall preside over the meetings of the Board.
 - 3.22** The Chairman shall be authorized to call special meetings of the Board, as herein provided.
 - 3.23** The Chairman shall appoint the standing and special committees of the Board, as herein provided.
 - 3.24** The Chairman shall be an ex officio member of all committees of the Board.
 - 3.25** The Chairman shall sign, with the Secretary attesting, any bonds, contracts or other documents or instruments which the Board has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board to some other officer, official or agent of the System.

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

Sec. 5. Secretary to the Board.

- 5.1 Appointment.** --At the meeting at which the Chairman and Vice-Chairman of the Board are elected, the Board shall elect a Secretary who is not a member of the Board and who shall receive such compensation as may be fixed by the Board. The Secretary shall report and be responsible to the Board. The Secretary shall serve subject to the pleasure of the Board and may be removed by the Board at any time. Upon the death, resignation, disability, removal, or disqualification of the Secretary, the Board shall elect a successor Secretary as soon as practicable.
- 5.2 Duties and Functions.** --The duties and functions of the Secretary shall include the following:
- 5.21 Meetings.** --The Secretary shall make preparations for all meetings of the Board.
 - 5.22 The Agenda.** --Under the direction of the Chairman of the Board, the Secretary shall prepare and distribute the Agenda and the Material Supporting the Agenda for all meetings of the Board and its committees.
 - 5.23 Open Meetings Act.** --Under the direction of the Chairman of the Board, the Secretary shall post notices of all meetings, and the subject matter thereof, as may be required under law.
 - 5.24 Minutes.** --The Secretary shall record, prepare, and index the official Minutes of the Board and shall distribute copies thereof, including the annual budgets, to members of the Board and to other persons on the approved list. The official copy of the Minutes shall be kept in the Office of the Secretary, and certified excerpts from these Minutes shall be prepared by the Secretary.
 - 5.25 Documents.** --The Secretary shall keep on file in the Office of the Secretary to the Board all official documents, correspondence, and proceedings of the Board.

- 5.26 Seal.--The custody of the official seal of the System shall be with the Secretary. The secretary shall affix such official seal to, and attest, all documents executed in the name of the Board and requiring attestation.
- 5.27 Rules and Regulations.--The Secretary shall be charged with the responsibility of keeping current the Official Copies of the Regents' Rules and Regulations, and furnishing to members of the Board and the administrative officers on the approved list any changes or additions as soon as possible after the meeting at which they are finally adopted.
- 5.28 Reports.--The Secretary shall prepare and distribute such reports and communications as are directed by the Board.
- 5.29 Other Duties.--In addition, the Secretary shall perform such functions and have such other duties and responsibilities as may be assigned to the Secretary by the Board or as are usual and customary to the position of Secretary and which assist the members of the Board in the discharge of their official duties.

Sec. 6. Meetings of the Board.

- 6.1 Regular Meetings.--Regular meetings of the Board shall be held at such times and places as the Board shall designate. Unless otherwise determined in advance by the Board, all regular meetings shall be held in Austin.
- 6.2 Special Meetings.--Special meetings of the Board shall be held upon the call of the Chairman, or upon the written request of three members of the Board. The Chairman shall cause written notification of the time, place, and purposes of any special meeting to be mailed to each member of the Board by the Secretary at least three days before the time of the meeting.
- 6.3 Official Business.--No business other than that placed on the Agenda and noticed as required by law shall be officially transacted at a meeting of the Board or its committees.

Sec. 7. Committees.

- 7.1 Standing Committees.--The following committees shall be standing committees of the Board to consider policies for the government of all major areas: (a) Committee of the Whole; (b) System Administration Committee; (c) Academic and Developmental Affairs Committee; (d) Health Affairs Committee; (e) Buildings and Grounds Committee; (f) Land and Investment Committee.
- 7.11 Appointment and Term of Standing Committees and Authority of Chairman Thereof.--All members of the Board shall be members of each of the standing committees. The Chairman of each standing committee (other than the Committee of the Whole) shall be appointed by the Chairman of the Board shortly after his or her election, by and with the consent of the Board, and shall remain as Chairman of the standing committee (unless a vacancy shall be caused by death, resignation, or refusal of some member of a committee to act) until the succeeding Board Chairman shall have reconstituted the committees. The Chairman of any of the six standing committees may appoint subcommittees on either a standing or ad hoc basis to give special consideration to special problems.

- 7.12 Method of Filling Vacancies in the Chairmanship of Standing Committees.--In case a vacancy shall occur in the chairmanship of any of the standing committees, the Chairman of the Board shall appoint another member of the Board to serve as Chairman of the standing committee by and with the consent of the Board, and, if confirmed, the appointment shall stand until the time for appointment of Chairmen of the standing committees as provided in Subdivision 7.11 of this Chapter.
- 7.13 Time of Meeting of Committees of the Board.--The committees of the Board customarily shall meet on the first day of any scheduled Board meeting and at such other times as the majority of the members of each committee shall determine.
- 7.14 Authority of Standing Committees.--The authority of standing committees of the Board shall be subject to action of the whole Board and, except in cases where it is necessary for the System Administration Committee to act for the Board during the interim periods between Board meetings, the committees' actions shall be referred to the Board before they shall become effective.
- 7.15 Committee of the Whole.--The Chairman of the Board shall serve as Chairman of the Committee of the Whole. The Committee of the Whole shall receive and consider items referred to it by the Chairman of the Board and by other committees of the Board.
- 7.16 Composition and Duties of the System Administration Committee.--The System Administration Committee shall have authority to act for the Board on all matters that require action between meetings of the Board, but at each meeting of the Board, the System Administration Committee shall report in writing (for ratification) all actions taken by it since the last meeting of the Board.

The System Administration Committee shall in addition thereto:

- 7.161 Consider and make recommendations on all budgetary matters relating to System Administration, including the budgets for all properties occupied by System Administration personnel
- 7.162 Consider and make recommendations on all matters relating to the administrative organization of the System and its component parts.
- 7.163 Consider and make recommendations with respect to the role, operation, and budget of any special function or offices controlled by System Administration.
- 7.17 Duties of the Academic and Developmental Affairs Committee.--The Academic and Developmental Affairs Committee shall:
- 7.171 Consider and make recommendations relating to matters of academic policy and student life in the general academic institutions.
- 7.172 Study and make recommendations relating to developmental matters concerning the general academic institutions.
- 7.173 Consider all matters affecting the growth and usefulness of the libraries of the University.
- 7.18 Duties of the Health Affairs Committee.--The Health Affairs Committee shall consider all matters connected with the health related institutions and schools except those specifically assigned to other committees of the Board.

- 7.19 Duties of the Buildings and Grounds Committee.--The Buildings and Grounds Committee shall have the following duties:
- 7.191 It shall consider and make recommendations relating to the acquisition and use of land and the construction and use of buildings and other matters involving the physical expansion of the System and its component institutions.
- 7.192 It shall review, and make recommendations regarding, all proposals for new construction in an amount exceeding \$5,000.00, all proposals for repairs and remodeling of the physical plant which involve proposed expenditures of \$50,000.00 or more, and proposals for extensive improvements of the grounds of the System and its component institutions.
- 7.1(10) Duties of the Land and Investment Committee.--The Land and Investment Committee shall consider and make recommendations on all matters relating to (a) the investment of the Permanent University Fund and all trusts and special funds, (b) management of the state lands constituting the permanent endowment of the University, (c) the acquisition, management, and sale of trust property and special funds, and (d) the issuance of bonds.
- 7.2 Board for Lease of University Lands.--Two members of the Board shall be appointed by the Chairman of the Board, by and with the consent of the Board, to serve on the Board for Lease of University Lands. Neither of such appointees shall be employed either directly or indirectly by any oil or gas company nor shall be an officer or attorney for any oil or gas company.
- 7.3 Special Committees.--The Chairman of the Board shall appoint such special committees of the Board as the Board may authorize.

Sec. 8. Procedure.

- 8.1 Rules of Order.--Robert's Rules of Order, when not in conflict with any of the provisions of this chapter, shall be the rules of parliamentary procedure when the Board or any of its committees is in session.
- 8.2 Order of Business.--Customarily the order of business at a regular meeting of the Board shall be as follows:
- 8.21 Correction and approval of Minutes of preceding meeting.
- 8.22 Special items:
- (a) Chancellor
- (b) President of the System
- (c) Chief administrative officers of the component institutions
- (d) Members of the Board
- 8.23 Reports of standing committees.
- 8.24 Reports of special committees.
- 8.25 Report of the Committee of the Whole.
- 8.3 Open and Closed Meetings.--Meetings of the Board shall be open to the press and the public, unless otherwise determined by the Board, in accordance with law.
- 8.4 Matters to be Referred to Committees.--Insofar as it is practicable and desirable, all subjects and matters requiring Board action shall

be referred to the appropriate committee for consideration and recommendation before action is taken thereon by the Board.

8.5 Communications to the Board.

8.51 Nothing herein shall be construed to prevent members of the Board from informing themselves as to their duties and obligations in such manner as they may deem proper. However, the regular channel of communication from members of the Board to the faculty, staff, and administration is through the President of the System and the chief administrative officer of the institution involved, and a copy of any communication sent by a Regent directly to any member of the faculty, staff or administration should be furnished to the President of the System and the chief administrative officer of the institution involved. All staff and faculty proposals that are to be acted upon by the Regents shall be presented to the President of the System in sufficient time to permit him to consider such proposals, make recommendations thereon, and transmit them to the Secretary to the Board no later than seventeen days prior to the next meeting of the Board, in order that the calendar, agenda, and supporting material may be prepared in time to mail to the members of the Board so they will receive it at least five days prior to the meeting. Except where emergency proposals are involved, all such proposals not submitted to the Secretary within the time prescribed shall not be considered by the Board but shall automatically be deferred until the next meeting of the Board.

8.52 Except upon invitation of the Board, the Chairman of the Board, the Chancellor, or the President of the System, no person shall appear before the Board or any committee thereof unless he shall file with the Secretary to the Board a written request for such appearance at least ten days before the date of such appearance and unless the Chairman of the Board, or a majority of the whole Board, shall approve the request; provided, however, that the chief administrative officer, or his delegate, and/or the president of the students' association, or his delegate, of any component institution, without prior notice or request but subject to such time limitation as may be prescribed by the Chairman or a majority of the Board (or by the chairman or a majority of the committee), may appear before the Board or any committee thereof whenever the matter under consideration by the Board or committee directly affects the component institution represented by such chief administrative officer and/or student president. Whenever time and other circumstances permit, the president of the students' association, or his delegate, of such component institution, shall consult with the chief administrative officer, or his delegate, of such institution regarding said "matter under consideration" prior to the meeting of the Board or committee. Insofar as possible, any person who appears before the Board pursuant to the ten-day notice provision or without notice pursuant to the provisions of this paragraph shall provide a written statement of the substance of such person's presentation to the Board, and, insofar as possible, such written statement shall be delivered to the Secretary to the Board in sufficient time for copies to be distributed to the Regents prior to the meeting.

- 8.53 All official material to be distributed to the Regents shall be transmitted through the Office of the Secretary to the Board. Copies of all official communications from administrative officers to the Regents shall be sent to the Secretary. Communications from the Chancellor or President of the System shall be exempt from this requirement at their discretion, but in such cases information copies shall be furnished to the Secretary.
- 8.54 A docket, to be entitled "Docket No. ___ of the President of the System," composed of routine matters arising from System Administration and the component institutions, which are required to be reported to and/or approved by the Board in accordance with established policies of the Board, shall be prepared as directed and approved by the President of the System. All docket items from the component institutions must be received in the office of the President of the System not less than twenty-one days prior to the next regular scheduled meeting for inclusion on the docket for that meeting. The Docket of the President of the System shall be distributed by the Secretary to all members of the Board ten days before the Board convenes, together with a ballot to be returned seven days thereafter. The ballot will read: "Approved, except as to the following items:" with space provided for listing the excepted items. All items not excepted by any Regent will be approved by the Board at its next meeting, without detailed consideration. Any excepted item listed by any Regent will be deferred and will be processed through the System Administration Committee for consideration at the first regular meeting of the Board following action on the item by the System Administration Committee.
- 8.55 Except for communications from the Chancellor, the President of the System and the Secretary to the Board, all communications to the Board from members of the faculty and staff should be in writing. The regular channel of communication from the faculty, staff, and administration to the Board is through the chief administrative officer of the institution involved and the President of the System. A copy of any communication sent directly to a Board member should be furnished to the President of the System and to the chief administrative officer of the institution involved. A description of all matters to be considered by the Board at any meeting shall be mailed or delivered to each member of the Board and to the President of the System at least five days in advance of the meeting at which they are to be considered, and insofar as possible, such material shall be mailed or delivered to the Regents and the President of the System at least ten days in advance of the meeting. Each such matter shall be accompanied by a summary of the facts pertaining thereto, the needs for action thereon, and the recommendations of the President of the System. Where contractual awards are involved, the summary shall show the method of competition, if any, the names and offers of all interested parties, and generally sufficient information to show the reasons for and fairness of each transaction. The recommendations of the President of the System shall state whether or not they are fully concurred in by any institutional head involved, and if not, the views and

recommendations of the institutional head shall be included. Any matter not sent to the members of the Board, documented as herein provided, at least five days in advance of the meeting at which it is to be considered, shall go over to the next meeting for consideration; provided, however that if sufficient emergency exists requiring immediate action and it appears that the delay was unavoidable, this requirement may be waived by a two-thirds vote of the Board.

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

Sec. 9. Executive Associate for Economic Affairs

- 9.1 The Executive Associate for Economic Affairs is a staff officer of the System. He is elected by the Board, serves at the pleasure of the Board, reports to and is responsible to the Board, and receives such compensation as may be fixed by the Board.
- 9.2 Duties. --The Executive Associate on a continuing basis conceives and develops long-range plans and studies with respect to the development and management of the economic component institutions, and upon request, consults and advises with the Board and the Executive Director for Investments, Trusts and Lands regarding plans and studies.

CHAPTER II

ADMINISTRATION

Sec. 1. General Provisions.

- 1.1 The "System Administration" is the administration of The University of Texas System.
- 1.2 Component Institutions.
The University of Texas System (herein sometimes called the "System") is composed of those institutions assigned by the Constitution or by

the Legislature to be governed by the Board of Regents of The University of Texas System.

1.3 Location.

The System Administration shall be based at Austin, to benefit from the proximity of state agencies and to take advantage of economies made possible by share use of personnel and facilities with The University of Texas at Austin. System Administration officers shall travel to the other component institutions as their administrative responsibilities require.

Sec. 2. Officers of System Administration.

2.1 Chancellor Emeritus.

The authority to bestow the title of Chancellor Emeritus shall rest with the Board, and an individual holding this title shall receive such salary and emoluments as are determined by the Board. This title shall be held at the pleasure of the Board. The Chancellor Emeritus shall have such duties and responsibilities as may be delegated or assigned to him by the Board and in these matters he shall report directly to the Board.

2.2 Principal Officers.

The Chancellor is the chief executive officer of the System. The other principal executive and administrative officer of the System is the President and Chief Operating Officer (herein sometimes called "President of the System").

2.3 Administrative Officers.

The other administrative officers of the System are the Executive Assistant to the Chancellor; the Director for Development; the Vice President for Academic Affairs; the Vice President for Administration; the Vice President for Business Affairs; the Vice President and General Counsel; the Vice President for Health Affairs; the Vice President for Operations; the Budget Director; the Comptroller; the Executive Director for Investments, Trusts and Lands; the Associate General Counsel; the Director of Facilities, Planning and Construction; the Director of Police; the Director for Public Affairs; the Director for Special Services; the System Personnel Director; the Director for Accounting

2.4 Appointment and Tenure of Administrative Officers.

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

2.42 The Executive Assistant to the Chancellor and the Director for Development shall each be appointed by the Board after nomination by the Chancellor. Each of such officers shall hold office without fixed term, subject to the pleasure of the Chancellor, whose actions concerning such officers are subject to review and approval by the Board. Officers so appointed shall not have tenure by virtue of their respective administrative offices.

2.43 All other administrative officers of the System shall be appointed by the Board after nomination by the President of the System. Officers so appointed shall not have tenure by virtue of their respective administrative offices. They shall

hold office without fixed term, subject to the pleasure of the President of the System. His actions concerning administrative officers are in turn subject to review and approval by the Board.

2.5 Staff and Line Functions of Officers Other than the Chancellor, the President of the System, Executive Assistant to the Chancellor and Director for Development.

2.51 Staff Function. Each officer of System Administration, other than the Chancellor, the President of the System, the Executive Assistant to the Chancellor, and the Director for Development, shall be responsible for planning and policy formulation in his particular field as delegated by the officer to whom he reports and shall serve as adviser in his area to the officer to whom he reports. In addition, with the knowledge of the officer to whom he reports, he shall advise and consult with other members of System Administration and with the officials of the component institutions in his particular area of responsibility.

2.52. Duties. Such officers of System Administration shall have such duties as shall be assigned to them by the President of the System, or the officer to whom they report, and as the personal representatives of such officers, they may be assigned specific executive responsibilities for carrying out administrative policies.

Sec. 3. Administrative Authority, Duties and Responsibilities of Officers of System Administration.

3.1 Chancellor.

The Chancellor is the chief executive officer of the System and shall report to and be responsible to the Board within the policies and the Rules and Regulations of the Board in the areas of development, general policy, and general academic planning for the System and its component institutions. The Chancellor, by delegation from the Board, is authorized to exercise the power and authority possessed by the Board in the governance of the institutions composing the System. He shall:

3.11 Advise and counsel with the Board in establishing and promulgating basic policies.

3.12 Interpret the academic programs and needs of the System and its component institutions to the general public and other constituencies under policies established by the Board.

3.13 Represent the System in the articulation of educational policy concerns at the community, state, regional, and national levels.

3.14 Serve as chief executive agent of the Board in establishing policies and procedures for determining and approving developmental needs of the System and in directing efforts to attract private fund support for meeting these needs.

3.15 Have direct access to the chief administrative officers as required in the fulfillment of these responsibilities.

3.2 Executive Assistant to the Chancellor.

The Executive Assistant to the Chancellor is an administrative officer of the System, and is the principal assistant to the Chancellor in the

administration of the responsibilities of the Office of the Chancellor. In this regard, the duties of the position include, but are not limited to:

- 3.21 Coordination of all matters between the Office of the Chancellor and the activities and functions in the Office of the President of the System.
- 3.22 Coordination of all matters between the Office of the Chancellor and the Office of the Secretary to the Board.
- 3.23 Ongoing evaluation and coordination of the internal administrative procedures and supporting staff of the Office of the Chancellor.
- 3.24 Such other duties and responsibilities as may be directed by the Chancellor.

3.3 Director for Development.

The Director for Development is an administrative officer of the System.

- 3.31 In carrying out his duties and responsibilities he:
 - 3.311 Serves as executive officer for the System Development Advisory Council.
 - 3.312 Acts under the authority delegated by the Chancellor for private fund development for the System.
 - 3.313 Coordinates policies and activities involving internal foundations and University-related external foundations.
 - 3.314 Coordinates and cooperates with the chief administrative officers of the component institutions in development programs.
 - 3.315 Coordinates efforts of component institution officials to create a favorable climate for philanthropic support among various constituencies, including alumni, foundations, business and industry, associations, parents of students, friends and benefactors.
 - 3.316 Advises component institution administrative officials, deans, and directors on projects involving private gift support, suggests possible granting agencies or benefactors, and assists when needed in the preparation of grant proposals and their presentation.
 - 3.317 Administers procedures for the preparation of gift records, gift processing, gift acknowledgments, and gift docketts for the Board.
- 3.32 The Director for Development reports to and is responsible to the Chancellor.

3.4 President of the System.

The President of the System is the chief operations officer of the System and, by delegation from the Board and within the policies of the Board, is authorized to exercise the powers and authorities of the Board in the governance of the System. The chief administrative officer of each component institution in the System, acting in a line capacity for the operation of his institution, reports to and is responsible to the President of the System.

- 3.41 The major tasks of the President of the System include:
 - 3.411 Advising and counseling with the Board with respect to basic policies, and representing the

- System in all respects as he deems proper and required to properly carry out the policies, purposes and goals of the System.
- 3.412 Act as agent of the Board in implementing policies of the Board.
- 3.413 Present to the Board nominations for all officers of System Administration (other than Chancellor, the Executive Assistant to the Chancellor, and the Director for Development) and component institutions as provided in these Rules and Regulations.
- 3.414 With the aid and advice of the Board, represent the System with the Legislature, the Coordinating Board, Texas College and University System, and other state and federal agencies.
- 3.415 Conduct periodic review of the organization of the System and its component institutions. In light of this review, he shall report to the Board recommendations for changes in organization, assignments, and procedures.
- 3.416 Normally act through the chief administrative officer regarding the affairs of any component institution of the System; however, he shall not be precluded from any direct participation and communication with faculty members and groups.
- 3.417 Prepare and approve recommendations for the meetings of the Board and submit such approved recommendations to the Secretary to the Board for consideration by the Chairman of the Board.
- 3.418 Recommend annual operating budgets and biennial legislative submissions of each component institution of the System.
- 3.419 Approve initiation and settlement of claims and lawsuits involving the System with approval of the Board.
- 3.41(10) Develop and implement programs for the most efficient management of personnel resources.
- 3.41(11) Develop and implement programs of long-range planning for academic programs, physical facilities and financial resources.
- 3.41(12) Through the System Administration and the staff of the component institutions develop training programs for personnel in the nonacademic areas.
- 3.41(13) Plan and implement programs for uniform business systems development and management.
- 3.41(14) Have direct administrative authority and responsibility for efficient functioning of the following officers and operations:
- 3.41(14)1 Vice President for Academic Affairs
- 3.41(14)2 Vice President for Health Affairs
- 3.41(14)3 Executive Director for Investments, Trusts and Lands
- 3.41(14)4 Vice President for Operations
- 3.41(14)5 Vice President for Administration
- 3.41(14)6 Director for Public Affairs
- 3.41(14)7 Comptroller

- 3.41(14)8 Budget Director
- 3.41(14)9 Vice President and General Counsel
- 3.41(14)(10) Vice President for Business Affairs

- 3.42 The President of the System reports to and is directly responsible to the Board of Regents.
- 3.43 The University Development Council. The University Development Council is composed of the Chancellor and the chief administrative officers of all component institutions of the System. The Chancellor shall serve as the chairman, and the Council shall review the development of private gifts and grants for the System and its component institutions.
- 3.44 The Council of Academic Institutions. The Council of Academic Institutions is composed of the President of the System, the Vice President for Academic Affairs, and the chief administrative officers of the general academic institutions of the System. The President 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. The Vice President for Academic Affairs shall be the permanent vice-chairman.
- 3.45 Council of Health Institutions. The Council of Health Institutions is composed of the President of the System, the Vice President for Health Affairs, and the chief administrative officers of the component institutions of the System concerned directly with health affairs. The President of the System acts as the Council's permanent chairman and shall conduct regular meetings to review common problems of planning, development, and operation of the several institutions represented. The Vice President for Health Affairs shall be the permanent vice-chairman.
- 3.46 Business Management Council. The Business Management Council advises the President of the System in the areas of budgeting, business management, data processing, physical plant operations, planning, construction, and accounting systems development. The Council is composed of the chief business officers and the Vice President for Business Affairs (the Chairman), who prepares the agenda.

3.5 Vice President for Academic Affairs.

The Vice President for Academic Affairs is an administrative officer of the System.

- 3.51 Subject to delegation by the President of the System, the Vice President for Academic Affairs has the general assignment of effective coordination of the general academic institutions. Specifically, he:
 - 3.511 Submits to the President of the System recommendations on the System programs in education, research, and public service, including general plans and operations of general academic institutions.
 - 3.512 Reviews and makes recommendations on proposals from the general academic institutions requiring action by the President of the System.
 - 3.513 Works with the general academic institutions to develop general guidelines concerning faculty workload and faculty policies and recommends to the President of the System concerning System policies on these matters.

- 3.514 Prepares and submits to the President of the System long-range and immediate academic plans for the general academic institutions including programs for continuous evaluation of existing academic programs.
- 3.515 Pursuant to governing policies, recommends to the President of the System upon the annual operating budget requests submitted by each general academic institution.
- 3.516 Recommends to the President of the System legislative appropriation requests (and policies for the development of such requests) to be submitted by the System on behalf of the general academic institutions.
- 3.517 Processes all academic matters for the System general academic institutions with the Coordinating Board, and coordinates other academic matters directed to the Coordinating Board.
- 3.518 Coordinates the preparation of the agenda for meetings of the Council of Academic Institutions.
- 3.519 In matters involving joint programs between System general academic institutions and System health institutions, coordinates with the Vice President for Health Affairs.
- 3.52 The Vice President for Academic Affairs reports to and is responsible to the President of the System.

3.6 Vice President for Health Affairs.

The Vice President for Health Affairs is an administrative officer of the System.

- 3.61 Subject to delegation by the President of the System, the Vice President for Health Affairs has the general assignment of effective coordination of those component institutions concerned primarily with health sciences.
Specifically, he:
 - 3.611 Submits to the President of the System recommendations on System programs on health science education, research, and public service, including general plans and operations for the health institutions.
 - 3.612 Reviews and makes recommendations on proposals from the health institutions requiring action by the President of the System.
 - 3.613 Prepares and submits to the President of the System long-range and immediate plans for health science education, research and public service for the health institutions.
 - 3.614 Pursuant to governing policies, recommends to the President of the System upon the annual operating budget requests submitted by each health institution.
 - 3.615 Recommends to the President of the System legislative appropriation requests (and policies for the development of such requests) to be submitted by the System on behalf of the health institutions.
 - 3.616 Processes all matters for the System health institutions with the Coordinating Board, and coordinates other health education matters directed to the Coordinating Board.

- 3.617 Coordinates the preparation of the agenda for meetings of the Council of Health Institutions.
- 3.618 Coordinates the development and implementation of interinstitutional programs to benefit the individual institutions in the achievement of their missions.
- 3.619 Interprets the health institutions' policies and programs to health professional groups at the local, state and national levels, and coordinates efforts with such health professional groups and state and federal regulatory agencies to assist the health institutions in the achievement of their missions.
- 3.61(10) In matters involving joint programs between System academic institutions and System health institutions, coordinates with the Vice President for Academic Affairs.
- 3.62 The Vice President for Health Affairs reports to and is responsible to the President of the System

3.7 Executive Director for Investments, Trusts and Lands.

The Executive Director for Investments, Trusts and Lands is an administrative officer of the System.

- 3.71 Subject to delegation by the President of the System, the Executive Director for Investments, Trusts and Lands implements, when they are approved by the Board, policies and actions with respect to:
 - 3.711 The investment, management, and administration of all endowment funds belonging to the System and its component institutions, including the Permanent University Fund and all trust and special funds.
 - 3.712 The management and administration of the surface of all endowment lands and real estate belonging to the System and its component institutions, except campus properties, but including the West Texas Lands and all trust properties.
 - 3.713 The management and administration of oil, gas, and other mineral exploration and production on all endowment lands and real estate belonging to the System and its component institutions, including the West Texas Lands and all trust properties.
 - 3.714 The issuance, management, and payment of all bonds and other evidences of indebtedness issued by the Board for the System and its component institutions.
 - 3.715 Working closely with the Board for Lease of University Lands in the discharge of its duties and responsibilities.
 - 3.716 Presenting to the Board through the President of the System periodic reports of the status and prospect of funds for which he has responsibility and that will be available for expenditure by the System and its component institutions.
 - 3.717 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.
- 3.718 Supervising the proper operation of the following budgeted activities:
 Office of Investments, Trusts and Lands;
 Board for Lease - University Lands;
 Auditing Oil and Gas Production;
 University Lands - Geology and Surveying;
 Oil Field Supervision and Geophysical Exploration;
 University Lands - Surface Leasing.
- 3.72 The Executive Director for Investments, Trusts and Lands reports to and is responsible to the President of the System.
- 3.8 Vice President for Operations.
 The Vice President for Operations is an administrative officer of the System.
- 3.81 Subject to delegation by the President of the System, the Vice President for Operations is responsible for:
- 3.811 Supervising and directing the operations of the Offices of Facilities Planning and Construction, System Personnel, Special Services, Equal Opportunity and Employee Relations.
- 3.812 Supervising and coordinating the acquisition of all real property at the component institutions.
- 3.813 Direct responsibility for the purchasing, accounting, equipment inventories, and vouchering operations for the offices of the Chancellor and the President of the System and coordination of building services for System buildings.
- 3.814 Representing the President of the System at all meetings of:
 Committee of Governing Boards;
 Council of College Presidents;
 Coordinating Board;
 TASSCUBO;
 Texas Association of Classroom Teachers;
 and such other organizations as the President of the System may designate.
- 3.815 Direct responsibility for the management of the System-wide insurance programs (except the System Plan for Professional Medical Malpractice Self-Insurance), including approval of all policies and coverages, such programs to include:
 Fire and Extended Coverage;
 Liability;
 Health;
 Life;
 Accidental Death and Dismemberment;
 Income Replacement; and
 Retirement.
- 3.816 Special assignments, as delegated or assigned by the President of the System.
- 3.82 The Vice President for Operations reports to and is responsible to the President of the System.

3.9 Vice President for Administration.

The Vice President for Administration is an administrative officer of the System.

3.91 Subject to delegation by the President of the System, the Vice President for Administration is responsible for:

3.911 Representing the System in its relations with federal governmental bodies and units; informing appropriate administrative officers of developments on the National level of significance to the System; recommending System actions and policies responsive to those developments; maintaining and distributing information to, and advising appropriate System Administration and component institution officials, in order to assure proper action by the System with respect to federal governmental programs and activities.

3.912 Communicating the activities of the Board and System Administration; coordinating news releases and other public information emanating from the component institutions, which involves the Board and System Administration; coordinating and serving as liaison to System Administration consultants in the area of media relations and public information dissemination; developing a format for the presentation of information about System institutions and activities to the general public; making recommendations to the President of the System regarding budget requests and staffing requirements for the public information services of the component institutions.

3.913 Making recommendations to the President of the System in the area of public policy as it affects the relationships of the System with the federal government, the press, and the general public.

3.914 Performing other duties and assignments as delegated by the President of the System.

3.92 The Vice President for Administration reports to and is responsible to the President of the System.

3.(10) Director for Public Affairs.

The Director for Public Affairs is an administrative officer of the System.

3.(10)1 Subject to delegation by the President of the System, the Director for Public Affairs shall:

3.(10)11 On the direction of the President of the System represent the System in its relations with state and local legislative bodies and agencies.

3.(10)12 Regularly advise the President of the System on relations with state and local legislative bodies and agencies.

3.(10)13 Inform appropriate administrative officers of current and long-range developments on the state level, which may affect the System.

3.(10)14 Maintain and distribute information on state programs to assure proper action by the System on applications and communications to federal and state agencies and offices.

- 3.(10)15 Assist the Vice President for Administration in monitoring federal activities of significance to the System.
- 3.(10)2 The Director of Public Affairs reports to and is responsible to the President of the System.
- 3.(11) Director of Facilities Planning and Construction.
The Director of Facilities Planning and Construction is an administrative officer of the System.
 - 3.(11)1 Subject to delegation by the President of the System through the Vice President for Operations, the Director:
 - 3.(11)11 Has direct supervisory responsibility over the administration and general supervision of any new building construction and initial equipping thereof costing in excess of \$5,000; any inside or outside repairs, remodeling, rehabilitation, new construction of improvements other than building, or campus planning costing \$50,000 or more; 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; and over consultation, advise and work with the architects and engineers employed by the Board subject to the terms and conditions of the contracts with those architects and engineers.
 - 3.(11)12 Serves as ex officio member of all faculty building committees at the component institutions.
 - 3.(11)13 Prepares and executes 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.
 - 3.(11)14 Coordinates the preparation of and approves all grant applications on approved construction projects filed with governmental agencies.
 - 3.(11)15 Coordinates the development of and maintains master plans for all component institutions, including but not limited to land utilization, utility, and landscape plans.
 - 3.(11)16 Develops standards for maintenance of all physical facilities at component institutions.
 - 3.(11)17 Has direct responsibility for negotiation and approval of all utility contracts.
 - 3.(11)2 The Director of Facilities Planning and Construction reports to and is responsible to the Vice President for Operations.
- 3.(12) Comptroller.
The Comptroller is an administrative officer of the System.
 - 3.(12)1 Subject to delegation by the President of the System, the Comptroller formulates and recommends procedures to be followed in the business operations of the System:
 - 3.(12)11 Accounting, auditing and reporting, and expenditure control.
 - 3.(12)12 Receipt, disbursement, and custody of moneys.
 - 3.(12)13 Procurement and purchasing.
 - 3.(12)14 Management of auxiliary service enterprises.

- 3.(12)15 Data processing systems--including prior approval of equipment acquisitions by purchase or lease.
 - 3.(12)16 Accounting and business system development.
 - 3.(12)17 Accounting records, forms, procedures, and financial reports, including format for such reports.
 - 3.(12)18 Terms of depository agreements with banks.
 - 3.(12)19 Lease contracts for building space.
 - 3.(12)1(10) Approval of the business aspects and overhead rates in research and other contracts with outside agencies.
 - 3.(12)1(11) Supervision of post auditing at each component institution.
 - 3.(12)2 The Comptroller is responsible as joint custodian with the Director of Accounting of The University of Texas at Austin for securities owned by the System funds that are not on deposit in the State Treasury.
 - 3.(12)3 The Comptroller reports to and is responsible to the President of the System.
- 3.(13) Budget Director.
The Budget Director is an administrative officer of the System.
- 3.(13)1 The Budget Director's primary responsibilities are to plan and develop systems and procedures for uniform budget preparation, budget control and financial reporting.
 - 3.(13)2 Subject to delegation by the President of the System, the Budget Director:
 - 3.(13)21 Formulates procedures governing the preparation and review of all budgets and development of effective methods of presenting approved budgets to appropriate agencies.
 - 3.(13)22 Recommends procedures to be followed, including format, schedules of budget preparation, and effective review of budgets.
 - 3.(13)23 Prepares budget-writing instructions.
 - 3.(13)24 Conducts budget and other related research studies.
 - 3.(13)25 Plans systems and procedures for budgetary control and financial reporting.
 - 3.(13)26 Controls and supervises distribution of all budgets, and processes and approves (as delegated) interim budget changes.
 - 3.(13)27 Prepares periodic budgetary, financial, and special reports, as appropriate.
 - 3.(13)28 Serves as liaison with the staff of the Legislative Budget Board, the Governor's Budget Office, and the Coordinating Board, Texas College and University System.
 - 3.(13)3 The Budget Director reports to and is responsible to the President of the System.
- 3.(14) Vice President and General Counsel for the System.
The Vice President and General Counsel for the System is an administrative officer of the System.
- 3.(14)1 Subject to delegation by the President of the System, the Vice President and General Counsel of the System is basically

responsible for providing all legal services required by the System and its personnel to insure the proper protection and advancement of System operations and interests, and to maintain such services at a high level of effectiveness. The regular major tasks of the General Counsel are:

- 3. (14)11 Manages and directs all legal affairs and personnel of the System.
- 3. (14)12 Provides advice, counsel and legal interpretations to System officials and personnel concerning legal matters affecting System operations.
- 3. (14)13 Directs Office of General Counsel (OGC) personnel with respect to work priorities and assignments, standards of performance, and career development, delegates to staff members responsibility for particular legal and OGC administrative tasks; and coordinates and controls OGC budget and personnel levels.
- 3. (14)14 Directs and manages (within applicable limits of authority) all litigation and administrative agency hearings; authorizes and approves the institution of legal proceedings; evaluates, directs and approves action and procedures relative to prosecution or defense of pending litigation and administrative proceedings; employs outside counsel; approves payment of outside counsel fees; and authorizes and approves settlement or appeal of litigation.
- 3. (14)15 Advises, counsels and disseminates information to affected System units relative to the nature, evaluation, progress and results of litigation, administrative proceedings, and other legal matters, and makes recommendations to System officials and other personnel as to future operations and objectives.
- 3. (14)16 Approves as to form all contracts and agreements and all amendments to the Regents' Rules and Regulations; and approves as to both form and content all Institutional Handbooks of Operating Procedures, whether finally approved or not, and all amendments to such handbooks.
- 3. (14)17 Drafting all legislation that has been approved by the Board or requested by any System officer for submission to the Board for approval.
- 3. (14)18 Identifies and evaluates administrative and functional problems and directs or recommends, as appropriate, course of action for solution.
- 3. (14)19 Represents the System before legal, educational and governmental groups and associations.
- 3. (14)1(10) Acts as administrator of the System Plan for Professional Medical Malpractice Self-Insurance; and System Patent Officer.
- 3. (14)1(11) Works in cooperation with the Attorney General of the State of Texas, State Agency legal counsel, and outside counsel.
- 3. (14)1(12) Assumes responsibility for any other legal, administrative or operational matters delegated by the President of the System.
- 3. (14)2 The Vice President and General Counsel of the System reports to and is responsible to the President of the System.

3.(15) System Personnel Director

The System Personnel Director is an administrative officer of the System.

3.(15)1 The System Personnel Director's primary responsibility is to plan, develop, and coordinate System-wide personnel policies and procedures. Subject to delegation by the President of the System through the Vice President for Operations, the System Personnel Director:

- 3.(15)11 Acts as liaison between component institution personnel officers and the System offices regarding all personnel matters related to classified personnel, administrative staff, and certain matters relating to teaching and/or academic personnel.
- 3.(15)12 Advises the System Officers and makes recommendations concerning development of methods and procedures designed to maximize the effectiveness of System Personnel Programs.
- 3.(15)13 Reviews and recommends all classified personnel pay plans for each component institution, including the establishment of proper classifications and pay scales consistent with needs and System-wide policies and procedures.
- 3.(15)14 Reviews and recommends the Personnel Office budgets for each component institution.
- 3.(15)15 Directs administration of the System Personnel Office, including the Workmen's Compensation Insurance section.
- 3.(15)16 Reviews and recommends to System Officers any rules and regulations or changes thereto that, after proper consultation with officers of component institutions, are considered beneficial or necessary for the proper administration of the System-wide Personnel Program.
- 3.(15)17 Establishes Employee Development and Training Programs for all component institutions, including particularly Supervisory Training Programs.
- 3.(15)18 Formulates policies and procedures concerning labor relations and employer-employee relationships.
- 3.(15)19 Assists in establishing Personnel Data Systems and proper practices and procedures concerning the personnel records of all employees.
- 3.(15)1(10) Conducts System-wide Wage and Salary Research Studies and formulates data for proper implementation of personnel pay programs.
- 3.(15)1(11) In consultation with the personnel offices of the component institutions, develops and maintains a System-wide personnel pay plan with uniform titles and account numbers.

3.(15)2 The System Personnel Director reports to and is responsible to the Vice President for Operations.

3.(16) Director of Accounting of The University of Texas at Austin.

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

3.(16)1 Subject to delegation by the President of the System through the Vice President for Business Affairs, he shall:

- 3.(16)11 Have 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.

- 3. (16)12 Have custodianship with the Comptroller of securities owned by the System funds that are not on deposit in the State Treasury.
- 3. (16)13 Maintain a full and complete set of records that accurately reflect the balances and transactions of all financial and property accounts of the System (as contrasted with such accounts of the component institutions).
- 3. (16)2 With respect to System Administration matters, the Director of Accounting of The University of Texas at Austin reports to and is responsible to the Vice President for Business Affairs. With respect to other matters, he reports to the appropriate officers of The University of Texas at Austin.
- 3. (17) Director of Police.
 - 3. (17)1 The Director of Police is an administrative officer of the System. Subject to delegation by the President of the System through the Vice President for Business Affairs, the Director of Police is responsible for:
 - 3. (17)11 Approving qualifications for police personnel at the component institutions of the System and approving all applicants to a basic or in-service training school or academy.
 - 3. (17)12 Approving the organizational structure for police departments at the component institutions of the System.
 - 3. (17)13 Establishing and supervising all training programs for System police, including basic and in-service training, as well as on-the-job training at each component institution of the System.
 - 3. (17)14 Conducting the System training in accordance with the standards of the Texas Commission on Law Enforcement Officer Standards and Education, in order to maintain accreditation with this state agency.
 - 3. (17)15 Maintaining liaison with The Director of Training, Texas Department of Public Safety, and the Coordinator of Training, Federal Bureau of Investigation, and being aware of new training techniques, procedures, programs, and equipment.
 - 3. (17)16 Establishing a uniform reporting and record system for police departments at the component institutions of the System and approving any changes thereto.
 - 3. (17)17 Conducting periodic inspections of the police departments of the component institutions of the System and evaluating their performance as police agencies.
 - 3. (17)18 Formulating and establishing policies and procedures for police operations on a System-wide basis.
 - 3. (17)19 Establishing, maintaining, and supervising on a System-wide basis, a program for police personnel promotion.

- 3.(17)1(10) Reviewing and recommending the pay scale for police personnel throughout the System.
- 3.(17)1(11) Surveying all component institutions of the System for security needs of existing buildings, grounds, and lighting, in order to make the appropriate recommendations to insure the prevention of criminal activities and the protection of life and property.
- 3.(17)1(12) Consulting with the Office of Facilities Planning and Construction on security needs for new construction, including security lighting on the property of the component institutions of the System.
- 3.(17)1(13) Coordinating the use of police throughout the System in emergency situations.
- 3.(17)1(14) Submitting periodic reports to the Vice President for Business Affairs concerning the operations of the police departments of the component institutions of the System.
- 3.(17)2 The Director of Police reports to and is responsible to the Vice President for Business Affairs

3.(18) Vice President for Business Affairs.

The Vice President for Business Affairs is an administrative officer of the System.

- 3.(18)1 Subject to delegation by the President of the System, the Vice-President for Business Affairs has the general assignment of effective coordination of the business activities of the component institutions in the System. Specifically, he:
 - 3.(18)11 Submits recommendations to the President of the System on business operations of the components of the System.
 - 3.(18)12 Reviews and makes recommendations on uniform business systems and management.
 - 3.(18)13 Submits recommendations relating to programs for the most efficient management of personnel and resources.
 - 3.(18)14 Submits recommendations for program development for training of personnel in nonacademic areas.
 - 3.(18)15 Reviews and makes recommendations on programs of long range planning for physical facilities and financial resources.
 - 3.(18)16 Reviews and makes recommendations relating to police and security matters within the System.
 - 3.(18)17 Has responsibility for coordinating the business affairs of the System with other officers and members of the System Administration staff.
 - 3.(18)18 Coordinates activities of Business Administrative Operations of the Component Institutions.
- 3.(18)2 The Vice President for Business Affairs reports to and is responsible to the President of the System.

3.(19) Associate General Counsel

The Associate General Counsel is an administrative officer of the System.

- 3.(19)1 Subject to delegation by the Vice President and General Counsel for the System, the Associate General Counsel is responsible (within delegated limits of authority) for:
- 3.(19)11 Providing legal counsel and advise to System officers, and their staffs, with respect to legal matters arising from System operations.
 - 3.(19)12 Representing the System in court and before administrative boards and tribunals.
 - 3.(19)13 Preparation, analysis and legal approval of agreements, contracts and various legal documents and instruments; amendments to Regents' Rules and Regulations; and approval as to both form and content of all Institutional Handbooks for Operating Procedures, and all amendments thereto.
 - 3.(19)14 Reviewing, analyzing and providing legal counsel on pending and enacted legislation and governmental regulations, and drafting proposed legislation and regulations.
 - 3.(19)15 Giving functional and administrative direction and guidance to assigned attorneys and staff.
 - 3.(19)16 Substitutes for the General Counsel, as assigned, and otherwise assists the General Counsel with respect to the responsibilities and activities of the Office of General Counsel.
- 3.(19)2 The Associate General Counsel reports to and is responsible to the Vice President and General Counsel for the System.

Sec. 4. Chief Administrative Officers of Component Institutions.

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

At all times, the Chancellor of the System and the President of the System shall be looking for promising candidates to whom they may refer the Advisory Committee when it is established.

When it is known that there is to be a vacancy in the office of a chief administrative officer of a component institution, an Advisory Committee, with the Chancellor of the System as Chairman, shall be established as follows to recommend candidates to the Board:

- Chancellor of the System (Chairman)
- President of the System
- Vice President for Health Affairs or Vice President for Academic Affairs (as determined by the President of the System)
- Three Chief Administrative Officers (to be appointed by the Chairman of the Board from three of the component institutions)
- Three Regents (to be appointed by the Chairman of the Board)
- Five Faculty members of the institution involved, at least three of whom shall have the rank of associate professor or higher (method of selection to be determined by the General Faculty of the campus)

One Dean

(for academic institutions to be selected by Dean's Council of the institution involved)
(for health science centers to be the Dean of Medicine of the health science center involved)

Two Students from the institution involved

(method of selection to be determined by the Student Government of the campus involved)

President of the Ex-Students' Association of the campus involved or his designee

(if institution does not have an active alumni organization, then a member of the development board or an interested layman to be appointed by the President or Acting President of the institution involved)

The Advisory Committee shall determine the availability of each candidate selected. To evaluate a candidate, the Advisory Committee shall set up criteria that relate to the needs of the individual component and shall seek advice on the ability of each candidate interviewed including advice from competent sources as to the candidate's administrative and business ability.

Finally, the Advisory Committee shall submit through its Chairman, the Chancellor of the System, its recommendations with no preference indicated. Candidates submitted shall have received a majority vote of the Committee. If none of the names submitted in the report of the Advisory Committee is satisfactory to the Board, then the Board in its discretion may either name a new committee or proceed to select a chief administrative officer under such other procedures as in its discretion it may deem proper and appropriate.

- 4.2 Each chief administrative officer reports to and is responsible to the President of the System, and serves without fixed term, subject to the pleasure of the President of the System and approval by the Board.
- 4.3 Within the policies and regulations of the Board, and under the supervision and direction of the President of the System, the chief administrative officer has general authority and responsibility for the administration of that institution.
- 4.31 Specifically, the chief administrative officer is expected, with the appropriate participation of the staff, to:
- 4.311 Develop and administer plans and policies for the program, organization, and operation of the institution.
 - 4.312 Interpret the System policy to the staff, and interpret the institution's program and needs to the President of the System and to the public.
 - 4.313 Develop and administer policies relating to students, where applicable, to the proper management of services to patients.
 - 4.314 Recommend appropriate operating budgets and supervise expenditures under approved budgets.
 - 4.315 Nominate all members of the faculty and staff, maintain efficient personnel programs, and recommend staff members for promotion, retention, or dismissal for cause.

- 4.316 Insure efficient management of business affairs and physical property; recommend additions and alterations to the physical plant.
- 4.317 Serve as presiding officer at official meetings of faculty and staff of the institution, and as ex officio member of each college or school faculty (if any) within the institution.
- 4.318 Appoint all faculty, staff, and student committees.
- 4.319 Cause to be prepared and submitted to the President of the System the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the President of the System, they shall thereafter constitute the Handbook of Operating Procedures for that institution. Provided, however that whether or not finally approved by the President of the System, any rule or regulation in any such institutional Handbook of Operating Procedures that is in conflict with any rule or regulation in the Regents' Rules and Regulations, is null and void and has no effect, and whenever any such conflict is detected, the President of the System and the chief administrative officer of the component institution shall immediately make such amendments to the institutional Handbook of Operating Procedures as may be necessary to eliminate such conflict.
- 4.31(10) Assume initiative in developing long-range plans for the program and physical facilities of the institution.
- 4.31(11) Assume active leadership in developing private fund support for the institution in accordance with policies and procedures established in the Regents' Rules and Regulations.
- 4.32 In the areas of private fund development, the chief administrative officer has direct access to the Chancellor.

Sec. 5. Appointment of Other Administrative Officers.

- 5.1 The Board delegates to the President of the System and the President of the System delegates to the chief administrative officer of each component institution the responsibility for the appointment of all other administrative officers of each component institution, including vice-presidents deans, directors and their equivalents. However, prior approval of the President of the System shall be necessary for each such permanent or acting appointment. All such other administrative officers serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution and the aforesaid approval of the President of the System.
- 5.2 The Board delegates to the President of the System and the President of the System delegates to the chief administrative officer of each component institution the responsibility for the permanent or acting appointment of department chairmen, department heads, and their equivalents. Such department chairmen, department heads and their equivalents serve without fixed terms and subject to the pleasure of the chief administrative officer of the institution.

- 5.3. The Board endorses the principle of reasonable faculty and student consultation in the selection of administrative officers of the component institutions, and the primary operating units, and expects the chief administrative officer, as he deems appropriate, to consult in the selection process with representatives of the faculty and student body. However, the chief administrative officer of the component institution is responsible for executing the duties of his office and consequently shall not be bound by nominations to key administrative positions in his office by campus selection committees in making his nominations to the President of the System. Such advice and consultation as he may seek or be given shall not be binding upon his nominations for appointments to positions in the echelon immediately below his position.

CHAPTER III

PERSONNEL

Sec. 1. Appointments.

- 1.1 The Board, upon the recommendation of the President of the System, shall elect or appoint, as the case may be, all of the officers, faculty members, and other employees of the System and of the component institutions and agencies of the System, fixing, subject to State and Federal laws, the duties, rights, and privileges of each employee or each class or group of employees; provided, however, that the Board may delegate to the President of the System, or through him, to the chief administrative officers of the component institutions, authority to appoint employees in certain designated classes or categories.
- 1.2 All appointments shall be made on the basis of merit.
- 1.3 The chief administrative officers of the component institutions shall investigate thoroughly the character, integrity, scholastic attainment, etc., of prospective members of their faculties and staffs before nominating them to the President of the System and the Board, or before exercising any delegated authority for making appointments.
- 1.4 The chief administrative officers of the component institutions shall not nominate or appoint, nor will the Board approve the appointment of, any person whose conduct or views are not exemplary; and the Board may inquire, or authorize inquiry, into family history, health, and personal and moral character.
- 1.5 As provided in the Constitution of the State of Texas, Article I, Section 4, and by statute, no religious qualification shall be required for appointment to any office or position connected with the System or any component institution thereof.
- 1.6 There shall be full compliance with statutory and rider provisions requiring notification to employees of specific provisions or languages.
- 1.7 Each component institution may require X-rays of the chest for applicants to be employed in regular positions. Employees whose duties will require the handling of food or the care of patients must pass a physical examination indicating fitness for the position for which application is made. The examination may be made at the health service of the component institution at which the applicant will be

employed, if such service exists. Reports of physical examinations shall be filed as determined by the institutional head.

1.8 Academic Titles.

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

- 1.81 The only titles to be used henceforth in which faculty members may hold tenure are as follows:
- (a) Professor
 - (b) Associate Professor
 - (c) Assistant Professor
- 1.82 Persons holding a named chair or professorship or a position designated by academic discipline may acquire tenure by virtue of one of the three positions listed above, but not through the named chair or professorship or position designated by academic discipline. At M. D. Anderson, the institution head under special circumstances may use the term Faculty Associate in lieu of Instructor.
- 1.83 Other academic titles which may be used but in which tenure cannot be held are as follows:
- (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 is used for persons whose salary rates are comparable to those with tenure positions but who for various reasons should not be given formal tenure appointments.
 - (c) Assistant Instructor or Teaching Associate. These titles may be used interchangeably for (1) certain graduate students teaching on a part-time or full-time basis who are in the last phase of their doctoral programs and who are unconditionally enrolled in graduate study, or (2) persons who, because of the nature of their duties, such as in a laboratory or in a hospital, do not qualify for one of the usual academic titles and do not hold the academic training or professional distinction usually required for attaining tenure positions.
 - (d) Teaching Assistant. This title usually applies to graduate students who are teachers and who are employed on a part-time basis. The only other teaching titles for graduate students are Teaching Associate and Assistant Instructor.
 - (e) Faculty Associate. This title may be applied to a person assigned to a research or nonteaching center, institute, or other unit or interdisciplinary program of a component institution.
 - (f) Specialist. This title may be used for professional individuals who will serve as practitioners in specific areas of instruction, training or supervision. Upon approval of the institutional head and the President of the System, the title may carry appropriate descriptive prefixes so as to indicate the specific area of

proficiency, e.g. Practice Teaching Specialist, Physical Activity Specialist, Social Work Field Training Specialist.

- 1.84 Prefixes to academic and staff positions in which tenure cannot be acquired:
- (a) Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. These titles are used only for temporary appointments of persons either visiting from other institutions where they hold similar ranks or who are brought to the University on a trial basis. Such appointments are limited to two years.
 - (b) Adjunct Professor, Adjunct Associate Professor, and Adjunct Assistant Professor. One of these titles may be used, as appropriate, when a faculty member from another institution may be temporarily teaching a course or participating in the teaching of a course at one of the component institutions. On occasion it may be desirable to offer a faculty member at a private institution an adjunct appointment under consortium arrangements in the offering of a degree. In addition, it may be desirable on occasion to use an adjunct position for a person from a business firm, a government agency, an art museum, a library, or similar organization. This prefix may also be used in the biomedical components to designate part-time service on the faculty in the basic science departments.
 - (c) Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor, and Clinical Instructor. These titles may be used by the components to designate regular part-time service on the faculty while involved in a health professions clinical experience program and for which the incumbent may or may not receive compensation.
 - (d) Professor Emeritus and Associate Professor Emeritus. One of these titles may be given to a retired faculty member or in anticipation of the retirement of a faculty member, effective upon his retirement. The conferring of one of these titles is not automatic upon retirement and is conferred in accordance with procedures developed at the institution and upon approval by the President of the component institution.
- 1.85 Any person holding a position of Research Scientist, Research Associate, Research Assistant or (in the health units) other appropriate research title will be under the classified personnel system, unless he is specifically identified as faculty or special approval has been granted by the chief administrative officer of the institution to designate him as an unclassified employee in such a position.
- 1.86 The following are titles used in the past on occasion and the use of which is to be discontinued:
- (a) System Professor
 - (b) University Professor
 - (c) Research Professor. Positions for which this title was used in the past should carry the title of Research Scientist or Research Associate or other appropriate title.
 - (d) Guest Professor. In the future Visiting Professor should be used in lieu of this title.

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

Sec. 2. Classified Personnel Systems.

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

Sec. 3. Employment of Aliens on Sponsored Projects.

Where sponsored contracts and grants do not otherwise prohibit or limit the employment of noncitizens, such noncitizens may be employed upon certification by the Director of the International Office at The University of Texas at Austin, or by an appropriate administrative officer at the other component institutions, that he has examined the applicant's visa and found it to be in order and has ascertained that the applicant has the approval of the United States Immigration authorities to accept such employment.

Sec. 4. Code of Ethics. -- Each employee, under State law, shall be furnished a copy of the Code of Ethics bill, which prescribes the following standards of conduct for employees of the System and its component institutions:

- 4.1 No employee shall accept any gift, favor, or service that might reasonably tend to influence him in the discharge of his official duties.
- 4.2 If an employee owns a controlling interest in a corporation, firm, partnership, or other business entity which is under the jurisdiction of any State regulatory agency, he shall file a sworn statement with the Secretary of State disclosing such interest.
- 4.3 No employee shall use his official position to secure special privileges or exemptions for himself or others, except as may be otherwise provided by law.
- 4.4 No employee shall accept employment or engage in any business or professional activity which he might reasonably expect would require or induce him to disclose confidential information acquired by him by reason of his official position.
- 4.5 No employee shall disclose confidential information gained by reason of his official position, nor shall he otherwise use such information for his personal gain or benefit.

- 4.6 No employee shall transact any business in his official capacity with any business entity of which he is an officer, agent, or member, or in which he owns a controlling interest.
- 4.7 No employee shall make personal investments in any enterprise which will create a substantial conflict between his private interests and the public interest.
- 4.8 No employee shall accept other employment which might impair his independence of judgment in the performance of his public duties.
- 4.9 No employee shall receive any compensation for his services as an employee from any source other than the State of Texas, except as may be otherwise provided by law.

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

- 5.1 Whenever an appointment is made, either on a full-time or part-time basis, it shall be made solely with regard to the special fitness of the appointee, subject to applicable statutes; and subject also to the provisions of this section of the Regents' Rules and Regulations.
- 5.2 Unless otherwise specifically stated, a relative shall be defined as a person related within the first degree of affinity or the second degree of consanguinity, according to the common law.
 - 5.21 The first degree of affinity includes the spouse of the employee and the parents, children, brothers and sisters of the employee's spouse. The second degree of consanguinity includes the parents, children, brothers and sisters, grandparents, uncles and aunts, first cousins, nephews and nieces, and grandchildren of the employee.
 - 5.22 The second degree of affinity includes the grandchildren of employee's spouse, and the nephews, nieces, uncles, aunts, and first cousins of employee's spouse. The third degree of consanguinity includes the great-grandson, great-grandfather, great-uncle, great-uncle's children, second cousin, first cousin's children, and grand-nephew of the employee.
- 5.3 Restrictions on Appointments.
 - 5.31 No relative, within the second degree of affinity or the third degree of consanguinity, of a member of the Board will be considered for appointment, but such person will be considered for reappointment in those cases where the appointment was antecedent to the Board member's appointment. Regularly enrolled students in the System who are eligible for part-time appointment and whose nomination originates in a department, school, or college are exempt from this rule.
 - 5.32 No person shall be initially appointed, or promoted, when it is the duty of any relative employed by the System to act in any official capacity upon such appointment or promotion, regardless of the source of funds for payment of salary; nor shall any appointment or promotion be made if either person would be under the administrative supervision of the other or if either would have any official voice in recommending salary increases or promotions in rank for the other.
 - 5.33 When two employees of the System marry, both may not continue to hold such positions beyond the then current fiscal year,

if the employment of married persons to such positions initially would violate these regulations.

5.34 Relationship shall not be a bar to honorary positions or to non-remunerative positions.

5.4 General Provisions.

5.41 The provisions of the antinepotism rule apply to all programs administered under the Board.

5.42 In extraordinary cases where the interest of the System will be served thereby, the Board upon special advance petition from an institutional head approved by the President of the System, may suspend these regulations except as to the appointment of any relative of a Regent, the Chancellor, the President of the System, or the head of any component institution.

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

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

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

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

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

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

- 6.22 Prior service at other academic institutions, whether inside or outside the System, shall not be counted toward fulfillment of the required probationary period unless specifically permitted under the provisions of a component institution's Handbook of Operating Procedures.
- 6.23 The maximum period of probationary faculty service in nontenured status in any academic rank or combination of academic ranks specified in Section 6.21 shall not be more than seven years of full-time academic service. In the event that a component institution fails to specify the maximum length of probationary service in its Handbook of Operating Procedures, such period shall be seven years. No later than August 31st of the penultimate academic year of the maximum probationary period in effect at any component institution, all nontenured faculty serving in a rank which accrues time toward satisfaction of a probationary period shall be given notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure or a seven-year term appointment will be granted. In the event that the employment of a nontenured faculty member is to be terminated prior to the end of the maximum probationary period notice shall be given in accordance with Section 6.8 below.
- 6.24 For purposes of calculating the period of probationary service, an "academic year" shall be the period from September 1st through the following August 31st. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the following September 1st shall not be counted as academic service toward fulfillment of the maximum probationary period. One year of probationary service is accrued by at least nine months full-time academic service during any academic year. A faculty member shall be considered to be on full-time academic service if he is in full compliance with regental standards pertaining to minimum faculty workloads at general academic institutions or when in compliance with the academic service standard in the Handbook of Operating Procedures of any health related institution.
- 6.25 All faculty appointments are subject to the approval of the Board. No nontenured member of the faculty should expect continued employment beyond the period of his or her current appointment as approved by the Board. Any commitment to employ a nontenured member of the faculty beyond the period of his or her current appointment shall have no force and effect until approved by the Board.
- 6.26 Accrued faculty service under tenure policies in effect at any component institution prior to October 20, 1972, must be counted toward fulfillment of the probationary period of service prescribed by this Rule. In the event that the probationary period under any such existing tenure policy exceeds seven years, no person who on October 20, 1972, is then serving in his or her seventh or succeeding year shall be deemed to have been granted tenure by virtue of the adoption of this Rule. All such persons shall be given notice on or before August 31, 1973, that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year tenure will be granted.

- 6.3 Termination by an institution of the employment of a faculty member who has been granted tenure and of all other faculty members before the expiration of the stated period of their appointment, except by resignation or retirement for age in accordance with these rules, will be only for good cause shown. In each case the issue will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of the System.
- 6.31 An institutional head may for grave cause suspend an accused faculty member pending immediate investigation or speedy trial as hereinafter provided.
- 6.32 In cases of incompetency, gross immorality, or felony, where the facts are admitted, summary dismissal will follow.
- 6.33 In cases where other offenses are charged, and in all cases where the facts are in dispute, the accused faculty member will be informed in writing of the charges against him, which, on reasonable notice, will be heard by a special hearing tribunal whose membership shall be appointed by the institutional head from members of the faculty whose academic rank is at least equal to that of the accused faculty member.
- 6.331 In every such hearing the accused will have the right to appear in person and by counsel of his own selection and to confront and cross-examine witnesses who may appear against him.
- 6.332 He shall have the right to testify, but may not be required to do so, and he may introduce in his behalf all evidence, written or oral, which may be relevant or material to his defense.
- 6.333 A stenographic or electronic record of the proceedings will be taken and filed with the Board, and such record shall be made accessible to the accused.
- 6.334 A representative of the institution may appear before the hearing tribunal to present witnesses and evidence against the accused faculty member and in support of the charge brought against such faculty member, and such institution representative shall have the right to cross-examine the accused faculty member (if he testifies in his own behalf) and the witnesses offered on behalf of the faculty member.
- 6.335 The hearing tribunal shall not include any accuser of the faculty member, and if the accused faculty member is not satisfied with the fairness or objectivity of any member or members of the hearing tribunal, he may challenge his or their alleged lack of such fairness or objectivity, but he shall have no right to disqualify any such member or members from serving on the tribunal. It shall be up to each such challenged member to determine whether he can serve with fairness and objectivity in the matter, and if any such challenged member should voluntarily disqualify himself, the institutional head shall appoint a substitute member of the tribunal who is qualified hereunder.
- 6.336 The hearing tribunal, by a majority of the total membership, will make written findings on the material facts and a recommendation of the continuance or termination of the accused faculty member's tenure. The hearing tribunal, by a majority of its total membership, may make any supplementary suggestions it deems proper concerning the disposal of the case. The original of such findings and the basic recommendation,

together with any supplementary suggestions, shall be delivered to the Board and a copy thereof to the accused. If minority findings, recommendation, or suggestions are made, they shall be similarly treated.

- 6.34 The Board, by a majority of the total membership, will approve, reject, or amend such findings, recommendation, and suggestions, if any, or will recommit the report to the same tribunal for hearing additional evidence and reconsidering its findings, recommendation, and suggestions, if any. Reasons for approval, rejection, or amendment of such findings, recommendation, or suggestions will be stated in writing and communicated to the accused.
- 6.35 Nontenured faculty members who are notified in accordance with Section 6.8 that they will not be reappointed or who are notified in accordance with Section 6.23, 6.8, or 6.9 that the subsequent academic year will be the terminal year of appointment shall not be entitled to a statement of the reasons upon which the decision for such action is based. No hearing to review such a decision shall be held unless the affected faculty member submits in writing to the chief administrative officer of the institution factual allegations that the decision to terminate was based upon the faculty member's exercise of rights guaranteed by the laws or Constitution of this State or the United States and requests an administrative hearing to review these allegations. Such allegations shall be heard under the same procedures as in the case of dismissal for cause, with the following exceptions:
- (1) the burden of proof is upon the affected faculty member to establish at such hearing that the decision in question was based on his exercise of rights guaranteed by the laws or Constitution of this State or the United States;
 - (2) the administration of the institution need not state the reasons for the questioned decision or offer evidence in support thereof unless the affected faculty member presents a prima facie case in support of his allegations.
- 6.4 Any employee of any component institution of the System, including any member of the faculty or administration, who is placed on probation for or finally convicted of the illegal use, possession, or sale of a drug or narcotic, shall be dismissed as an employee, regardless of whether or not the illegal act that gave rise to the conviction was committed on the campus of one of the component institutions of the System.
- 6.5 Any employee of any component institution of the System, including any member of the faculty or administration, who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to dismissal as an employee. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.
- 6.6 Every faculty member and employee is expected to obey all federal, state, and local laws, and particularly the three state statutes set out below. Any faculty member or employee who violates any provision of

these three statutes is subject to dismissal as a faculty member or employee, notwithstanding any action by civil authorities on account of the violation:

6.61 DISORDERLY CONDUCT.

Sec. 1 No person, acting alone or in concert with others, may engage in disorderly conduct. Disorderly conduct consists of any of the following:

- (1) behavior of a boisterous and tumultuous character in a residential area or a public place such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists; or
- (2) interfering with the peaceful and lawful conduct of persons in or about their homes or public places under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (3) violent and forceful behavior at any time in or near a public place, such that there is a clear and present danger that free movement of other persons will be arrested or restrained, or other persons will be incapacitated in the lawful exercise of business or amusement; or
- (4) behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or affrays; or
- (5) in a public or private place engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (6) willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to participate effectively in such assembly or meeting when such conduct tends to cause or provoke a disturbance; or
- (7) behavior near a courthouse or other public building wherein judicial proceedings are being held, designed or having the effect of interfering with the administration of justice, whether by disrupting the courts or by intimidating the judges, witnesses, jurors, or other persons having business with the courts; or
- (8) behavior near any public building wherein matters affecting the public are being considered or deliberated, designed or having the effect of interfering with such proceedings under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (9) willful and malicious behavior which obstructs or causes the obstruction of any doorway, hall, or any other passageway in a public building to such an extent that the employees, officers, and other persons, including visitors and tourists, having business with the government are denied entrance into, exit from, or free passage in such building; or
- (10) behavior involving the display of any deadly weapon in a public place in such a manner as to alarm or frighten other persons present; or

(11) enters upon the property of another and for a lewd or unlawful purpose deliberately looks into a dwelling on the property through any window or other opening in it.

Sec. 2 Any person who violates any of the provisions of Section 1 of this Article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Two Hundred Dollars (\$200). For any second or subsequent conviction of any of the provisions of Section 1 of this Article such person shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000), or by imprisonment in the county jail for not more than thirty (30) days or by both such fine and imprisonment. (H.B. No. 57, Acts of the 61st Legislature, Regular Session, 1969)

6. 62 DISRUPTIVE ACTIVITY.

Sec. 1 No person or group of persons acting in concert may wilfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any private or public school or institution of higher education or public vocational and technical school or institute.

Sec. 2 (a) For the purposes of this Act, "disruptive activity" means:

- (1) obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school;
 - (2) seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity;
 - (3) preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the school administration;
 - (4) disrupting by force or violence or the threat of force or violence a lawful assembly in progress; or
 - (5) obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization of the administration of the school.
- (b) For the purposes of this Act, a lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

Sec. 3. A person who violates any provision of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine not to exceed \$200 or by confinement in jail for not less than 10 days nor more than 6 months, or both.

Sec. 4 Any person who is convicted the third time of violating this act shall not thereafter be eligible to attend any school, college, or university receiving funds from the State of Texas for a period of two years from such third conviction.

Sec. 5 Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitutions of the United States or the State of Texas. (H. B. No. 141, Acts of the 61st Legislature, Regular Session, 1969)

6.63 FIREARMS.

Sec. 1 It shall be unlawful to interfere with the normal activities, the normal occupancy, or normal use of any building or portion of a campus of any private or public school or institution of higher education or public vocational and technical school or institute by exhibiting or using or threatening to exhibit or use a firearm.

Sec. 2 A person who violates Section 1 of this Act is guilty of a felony and upon conviction is punishable by a fine of up to \$1,000 or by imprisonment in jail for a period not to exceed 6 months, or by both fine and imprisonment, or by imprisonment in the state penitentiary for a period not to exceed five years. (H.B. No. 1450, Acts of the 61st Legislature, Regular Session, 1969)

6.7 The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every faculty member and employee of the System and its component institutions. Any faculty member or employee who violates the minimum standards of conduct required by any felony statute of Texas or the United States is subject to dismissal as a faculty member or employee, regardless of whether or not any action is taken against the faculty member or employee by civil authorities on account of such violation. If action for dismissal is taken, the appropriate administrative official shall proceed with the action in the same manner as he would in the case of a violation by a faculty member or employee of any other provision of these rules and regulations or a provision of any institutional supplement.

6.8 In the event of decision not to reappoint a nontenured faculty member, written notice will be given him or her not later than March 1st of the first academic year of probationary service if the appointment expires at the end of that academic year, or not later than December 15th of the second academic year of probationary service if the appointment expires at the end of that academic year. After two or more academic years written notice shall be given not later than August 31st that the subsequent year will be the terminal academic year of appointment. The notice required by this Section is not applicable where termination of employment is for good cause under Section 6.3 above.

6.9 A faculty member serving a seven-year term appointment shall be given notice not later than August 31st of the sixth academic year of such appointment period that the subsequent academic year will be the terminal year of employment or that, subject to the approval of the Board, at the conclusion of the subsequent academic year he or she will be reappointed to a seven-year term appointment.

- 6.(10) Reappointment of nontenured members of the faculty to a succeeding academic year, reappointment of members of the faculty who are serving a seven-year term appointment to a succeeding seven-year term appointment, or the award of tenure or a seven-year term appointment, may be accomplished only by notice by the chief administrative officer of a component institution or his delegate with the approval of the Board. Notwithstanding any provisions of Sections 6.23, 6.8 or 6.9 to the contrary, no person shall be deemed to have been reappointed or to have been awarded tenure or a seven-year appointment because notice is not given or received by the time prescribed in Sections 6.23, 6.8, or 6.9 or in the manner prescribed in Section 6.(11). Should it occur that no notice is received by the time prescribed in Sections 6.23, 6.8 or 6.9, it is the duty of the academic employee concerned to make inquiry to determine the decision of the chief administrative officer of a component institution, who shall without delay give the required notice to the academic employee.
- 6.(11) Each faculty member shall keep the chief administrative officer of the component institution or his delegate notified of his current mailing address. The written notice required by Sections 6.23, 6.8, or 6.9 shall be sent by certified mail, return receipt requested, to the last address given by the faculty member.
- 6.(12) Dismissal or demotion of classified or nonteaching personnel before the expiration of the stated period of appointment will be only for good cause shown, as determined by appropriate administrative officers to whom this responsibility is delegated by the chief administrative officer of the component institution and in case of such dismissal or demotion any appeal shall be reviewed by the chief administrative officer of the component institution.

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

- 7.1 The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties.
- 7.2 The teacher is entitled to freedom in the classroom in discussing his subject, but he is expected not to introduce into his teaching controversial matter which has no relation to his subject.
- 7.3 The University teacher is a citizen, a member of a learned profession, and an officer of an educational institution supported by the State. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make it plain that he is not an institutional spokesman. As a member of the staff of a State institution of higher education, he should refrain from involving the System or any of its component institutions in partisan politics.
- 7.4 The Board of the System recognizes and affirms the right of a member of the faculty or staff to participate in political activities so long as such political activities do not interfere with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions and so long as such political activities do not involve the System

or its component institutions in partisan politics (See Section 7.3). With the interest of the System or its component institutions being given first consideration, a leave of absence without pay may--but need not--be granted to a member of the faculty or staff (See Section 16). However, it would be inappropriate for a leave of absence without pay to be granted primarily to permit a member of the faculty or staff of the System or its component institutions to participate in political activity, including, but not limited to, being a candidate for political office, holding a political office, or directing the political campaign of another person seeking a political office. Therefore, if a member of the faculty or staff wishes to engage in political activity that interferes with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions, he should voluntarily terminate his employment by the University. On the other hand, if the faculty or staff member does not voluntarily terminate his employment by the University and if the faculty or staff member's superior officer, such as the institutional head, the President of the System, or the Board, finds that the faculty or staff member's political activity does in fact interfere with the discharge of the duties and responsibilities that he owes to the System or any of its component institutions, the institutional head, the President of the System, or the Board shall terminate his employment by the University.

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

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

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

- 9.1 It is a specific and important duty of each member of the several teaching staffs to become acquainted with and to conform to all the rules and

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

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

Sec. 10. Communications, Appeals, and Hearings.

- 10.1 Every member of a teaching staff has the right to propose changes in policies and procedures and to present arguments in support thereof.
- 10.11 Proposals should originate and follow routines as prescribed elsewhere in the Regents' Rules and Regulations or in the institutional supplements.
- 10.12 When a proposal has been approved or amended by the appropriate institutional officials, faculties, and head of the component institution, it shall then go to the President of the System for recommendation to the Board if such action is required.
- 10.13 When a proposal has been approved or amended or rejected by the appropriate institutional officials, faculties, and the component institutional head, any member or group of members of the staff may present an appeal in opposition to the action of the majority or in opposition to the recommendation of the institutional official or the component institutional head, and this appeal, accompanied by reasons for and against the proposal, shall go through the prescribed administrative channels and shall be presented to the President of the System and thence to the Board for final action. The deans and other institutional officials, the component institutional head, the President of the System and the Board may invite both sides for personal conferences and discussions.
- 10.14 An authorized routine for proposals, with the right of appeal, having been herein fixed, it follows that proposals shall always be made in accordance therewith.
- 10.2 Every voting member of any faculty has the right and the duty to propose changes and to participate in debate in faculty meetings.
- 10.3 Appeals of classified (nonteaching) employees concerning conditions of employment must be made in keeping with the rules governing such employees.

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

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

Sec. 13. Outside Employment.

- 13.1 Members of the faculty or staff of component institutions should not be discouraged from accepting appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions. The consideration to the System of such activity is the improvement of the individual by virtue of his continuing contact with real problems in the real world.
- 13.2 Members of the faculty or staff should be discouraged from accepting regular employment with units outside the System because this action would be divisive of loyalties and does not provide the return to the institutions indicated in 13.1.
- 13.3 Conflict of interest should be avoided in all instances of outside employment, but conflict of interest in an academic institution means outside activity which intrudes upon the academic functions of teaching, scholarly activities, and service to the institution.
- 13.4 Even in the case of members of the staff specifically engaged only in residence work, there exists an obligation, usually intermittent, to furnish expert knowledge and counsel for public benefit free of charge, provided that the meeting of this obligation by a faculty or staff member does not interfere with his regular duties, and provided further that in meeting this obligation a faculty or staff member on full-time duty shall avoid undue competition with legitimate private agencies.
- 13.5 No member of the faculty or staff engaged in outside remunerative activities shall use in connection therewith the official stationery of the System or any of its component institutions, or give as a business address any building or department of the institution.
- 13.6 No member of the faculty or staff shall accept employment or any position of responsibility if the discharge of such employment or responsibility will be antagonistic to the interests of the State of Texas or the System or any of its component institutions.
- 13.7 Every member of the faculty or staff who gives professional opinions must protect the System and its component institutions against the use of such opinions for advertising purposes. That is, when he does work in a private capacity, he must make it clear to those who employ him that his work is unofficial and that the name of the System and its component institutions is not in any way to be connected with his name, exceptions being made of the name of the author attached to books, pamphlets, and articles in periodicals.
- 13.8 No member of the faculty or staff shall accept pay from private persons or corporations for tests, assays, chemical analyses, bacteriological examinations, or other such work of a routine character, which involve

the use of property owned by the System or its component institutions, unless advance permission has been obtained from the institutional head and provision has been made for compensation to the System or its component institutions.

- 13.9 No member of the full-time staff of the System on a twelve-month or nine-month basis shall be employed in any outside work or activity or receive from an outside source a regular retainer fee or salary until a description of the nature and extent of the employment has been filed with and approved by appropriate administrative officials as set forth in the institutional supplement of each component institution. For special provisions relating to other state or federal employment, see subsections 13.10, 13.11, and 13.12 of this section.
- 13.(10) Subject to the other provisions of this section, a member of the faculty or staff may hold other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States if his holding the other offices or positions is of benefit to the State of Texas or is required by state or federal law, and if there is no conflict between his holding the office or position and his holding the original office or position for which the member of the faculty or staff receives salary or compensation.
- 13.(11) Before a member of the faculty or staff may accept an offer to serve in other nonelective offices or positions of honor, trust, or profit with the State of Texas or the United States, the member of the faculty or staff must obtain from the appropriate administrative officials and the Board a finding that the requirements of this section have been fulfilled, including the expected additional compensation to be received from such service. The finding of the Board shall be recorded in the official minutes of the meeting of the Board at which approval was granted.
- 13.(12) The institutional head must keep a record of compensation received from additional state or federal employment, or both, including specifically: salary, bonuses, and per diem or other type of compensation.

Sec. 14. Holidays.

- 14.1 All faculty, classified and other nonteaching personnel are entitled to such holidays as are provided by the Legislature in the then current appropriation bill and as are approved annually by the President of the System and the Board, or alternate holidays approved in the official calendars of the various institutions by the President of the System and the Board. (See the Classified Personnel rules in the institutional Handbook of Operating Procedure.)

Sec. 15. Vacation.

- 15.1 Vacations for faculty, classified and other nonteaching personnel shall be as provided by the Legislature in the then current appropriation bill and as approved by the Board, except that vacation accumulated by faculty on nine-month appointments shall be counted as having been taken during periods when classes are not in session within the appointment period. Vacations for hourly and part-time employees shall be on a percentage basis for the time appointed. (See the Classified Personnel rules in the institutional Handbook of Operating Procedure.)

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

Sec. 16. Leaves of Absence without Pay.

- 16.1 With the interest of the institution being given first consideration and for good cause, leaves of absence without pay may be granted for a period within the term of appointment of a member of any faculty or staff.
- 16.2 The maximum unit period for which a leave of absence will be granted is the end of the fiscal or academic year in which the leave begins. In normal times, leaves for one year will be granted liberally, provided the department so recommends and can supply satisfactory replacements.
- 16.3 A second consecutive year of leave should not be requested except for military service, reasons of health, or continued graduate study. This provision will be interpreted liberally in the case of junior staff members working on advance degrees.
- 16.4 Except in very unusual circumstances a third consecutive leave of absence for one year will not be granted. Such circumstances would now include extended military service or prolonged illness.
- 16.5 After a return to active duty of one year or more, the leave-of-absence privilege will again be available.
- 16.6 The granting of a leave of absence does not affect in any way the tenure position of the grantee.
- 16.7 For leave of absence to participate in a political campaign see Part One, Chapter III, Sec. 7.4.

Sec. 17. Faculty Development Leaves. -- Faculty development leaves for faculty members may be granted as set out in House Bill 669, 60th Legislature, Regular Session, 1967. This bill provides that after two consecutive academic years at the same institution faculty members as defined in this Act may be considered for a faculty development leave for one academic year at one-half his regular salary or for one-half academic year at his full regular salary. Such leaves shall be granted pursuant to procedures outlined in the Act and to the limitations therein.

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

Sec. 19. Sick Leave.

- 19.1 In cases where illness incapacitates a member of an institutional or professional staff, arrangements for carrying on his usual duties must be made through appropriate administrative channels with the chief administrative officer of the institution.
- 19.2 In cases of illnesses of classified or other nonteaching personnel the rules and regulations for each of the several component institutions shall apply, subject to controlling provisions of State law.
- 19.3 In the case of death of an employee who has accumulated sick leave, the estate will be paid for the accumulated sick leave as permitted by law. The payment shall be calculated at the rate of compensation being paid the employee at the time of death.

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

Sec. 21 Absence from Usual and Regular Duties.

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

Sec. 22 Authorization to Travel.

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

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

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

- 24.1 The policy of the Board concerning textbooks and other materials prescribed for the use of students is as follows:
 - 24.11 Although generally the individual instructor or the department should have wide discretion in the choice of materials to be used in the courses offered by the department, frequent changes in the textbooks prescribed should be discouraged and should be made only for cogent reasons.

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

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

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

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

Sec. 25 Sectarian Courses Prohibited. --No course of instruction of a sectarian character shall be taught in the System or any of its component institutions. (Article 2604, Vernon's Civil Statutes)

Sec. 26 Acceptance of Money from Students.

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

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

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

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

27.1 No expenditure out of funds under control of the Board of the System

shall be made and no debt or obligation shall be incurred and no promise shall be made in the name of the System or any of its component institutions or of the Board by any member of the respective staffs of the System or any of its component institutions except:

- 27. 11 In accordance with general or special budgetary apportionments authorized in advance by the Board and entered in its minutes; or
- 27. 12 In accordance with authority specifically vested by the Board in a committee of the Board; or
- 27. 13 In accordance with authority to act for the Board when it is not in session, specifically vested in some University officer by these Rules and Regulations or by special action of the Board.

27. 2 It shall be the duty of the Auditor of The University of Texas at Austin and the several institutional business managers to see that all claims for payments of items not authorized as indicated above are refused and returned unpaid.

27. 3 There shall be no sale to or purchase from the System or its component institutions by any employee thereof unless same has been duly authorized by the Board and the details relating thereto have been entered in its minutes.

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

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

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

Sec. 31 Retirement and Modified Service.

31. 1 Members of institutional faculties will not be continued on their standard full-time service or full-time compensation rate beyond the end of the fiscal year that includes their seventieth birthday.

31. 2 Members of the institutional nonteaching staffs who are without faculty rank will not be continued on their standard full-time service or full-time compensation rate beyond the end of the fiscal year that includes their sixty-fifth birthday, except as provided in subsequent subsections. Nonteaching staff members who are without faculty rank may, at the end of the fiscal year that includes their sixty-fifth birthday, be employed in an academic status on a full-time or part-time basis until the end of

the fiscal year during which their seventieth birthday occurs on the condition that employment in such capacity shall be considered temporary and on a year-to-year basis. Such a nomination shall be made by a teaching department solely on the basis of the institution's need.

- 31.3 Faculty members who have served continuously the System, except as set out in Sections 31.(16) and 31.(17), for twenty (20) years or more and have the faculty rank of Instructor, Assistant Professor, Guest Assistant Professor, Associate Professor, Guest Associate Professor, Professor, or Guest Professor, shall be continued after reaching the age of seventy (70) on a reduced salary and upon modified service until the Board, upon recommendation of the President of the System and the institutional head involved, determines that they shall retire completely from service with and compensation from the System.
- 31.4 Faculty members who do not have the rank of Instructor, Assistant Professor, Guest Assistant Professor, Associate Professor, Guest Associate Professor, Professor, or Guest Professor shall not be appointed to modified service after the end of the fiscal year which includes their seventieth birthday.
- 31.5 Subject to the provisions of Paragraph 31.21, nonteaching staff members who have served the System continuously for fifteen (15) years or more shall be continued after reaching the age of sixty-five (65) on a reduced salary from the System and upon modified service until the end of the fiscal year during which their sixty-seventh birthday occurs, except as provided in the subsections below:
- 31.51 Nonteaching staff members who have reached their forty-fifth birthday by September 1, 1964, and who at that time will have been employed continuously for a period of at least fifteen (15) years, may continue on a full-time service and compensation through the fiscal year that includes their sixty-fifth birthday and they may then be continued upon modified service until the Board, upon recommendation of the President of the System and the institutional head involved, determines that they shall retire completely from service with and compensation from the System.
- 31.52 Nonteaching staff members who have reached their fifty-fifth birthday by September 1, 1964, and who will at that time have been employed continuously for a period of ten (10) years may be continued on full-time service and compensation through the fiscal year that includes their sixty-fifth birthday and upon modified service, if physically qualified, until the end of the fiscal year that includes their seventieth birthday.
- 31.53 Nonteaching staff members who have reached their sixtieth birthday by September 1, 1964, may be continued on full-time service and compensation through the fiscal year that includes their seventieth birthday; thereafter, if at that time they have completed twenty (20) years of continuous service, they will be eligible, if physically qualified, for appointment to modified service through the fiscal year that includes their seventy-second birthday.
- 31.54 Nonteaching staff members who have reached their sixty-fifth birthday by September 1, 1964, may continue on full-time service and compensation through the fiscal year that includes

- their seventieth birthday, and, if they have at that time completed twenty (20) years of continuous service, they may continue upon modified service until the Board, upon recommendation of the President of the System and the institutional head involved determines that they shall retire completely from service with and compensation from the System.
- 31.55 Nonteaching employees in nonadministrative performance level positions appointed to modified service will be assigned to such duties within the individual's capacities as will be to the benefit of the institution.
- 31.56 Nonteaching employees in administrative policymaking positions appointed to modified service must retire from their full-time position and shall be assigned such other and different duties within the individual's capacity as are determined to be most beneficial to the institution.
- 31.6 The salary rate for modified service shall be one-half the average regular salary rate for each individual during the five years of full-time service immediately preceding the fiscal or academic year, as appropriate, in which modified service begins. Adjustments in rate will be made to care for any general change in salary scale under policies developed from time to time by the component institutions and approved by the President of the System and the Board.
- 31.7 The work load of a faculty or staff member placed on modified service shall be essentially one-half of his immediately previous full-time work load, but he may not continue, or be assigned, major administrative duties.
- 31.8 During the fiscal year in which the faculty member's seventieth birthday occurs or the nonteaching staff member's sixty-fifth birthday occurs and before the budget is prepared for the following year, and each year thereafter until full retirement, there must be an administrative determination of the employee's fitness to fulfill his duties.
- 31.9 Members of institutional faculties who have served the System continuously for twenty (20) years, and members of the nonteaching staff who have served the institution continuously for fifteen (15) years, may, upon approval of the institutional head, change to the modified service in the System for which they are eligible at any time after reaching their sixtieth birthday.
- 31.(10) No person appointed to the institutional faculties or nonteaching staffs after the age of fifty shall have the right to modified service.
- 31.(11) Members of institutional faculties and staffs who are not members of the Teacher Retirement System and faculty members who have served less than twenty (20) years and nonteaching staff members who have served less than fifteen (15) years may secure modified service status only upon special recommendation of the institutional head and the President of the System and approval by the Board, and such recommendation and approval must be made annually on the basis of institutional need.
- 31.(12) In deciding when a faculty member shall retire from all service with and compensation from the System, the Board will consider his current capacity for work, his service to the System and the retirement benefits to which he is entitled under the Teacher Retirement System

of Texas and the Federal Social Security laws; with the expectation that for each voting member of the faculty with at least twenty-five (25) years of faculty membership in the System, modified service will be continued until the retirement benefits receivable are approximately equal to the amount that would be received under modified service.

- 31.(13) Nonteaching Staff Members with Faculty Rank. --Every full-time or part-time nonteaching staff member who also has the faculty rank of Instructor, Assistant Professor, Guest Assistant Professor, Associate Professor, Guest Associate Professor, Professor, or Guest Professor shall retire from his administrative position [see Subsection 31.(15) below] at the close of the fiscal year in which his sixty-fifth birthday occurs and, if he chooses, return to a full-time faculty assignment. Thereafter, his rights shall be in accord with any other member of the faculty.
- 31.(13)1 Every full-time or part-time nonteaching staff member who has academic rank but does not have the faculty rank of Instructor, Assistant Professor, Guest Assistant Professor, Associate Professor, Guest Associate Professor, Professor, or Guest Professor shall retire from his administrative position [see Subsection 31.(15) below] at the close of the fiscal year in which his sixty-fifth birthday occurs and he may choose to return to full-time faculty assignments until the close of the fiscal year in which his seventieth birthday occurs without eligibility for modified service, or he may choose to be continued in a nonteaching position on modified service and compensation through the fiscal year in which his sixty-seventh birthday occurs.
- 31.(14) Administrative Officers. --Administrative officers with policymaking responsibility shall retire from their administrative positions at the end of the fiscal year in which their sixty-fifth birthday occurs. Administrative officers in this paragraph shall include all executive officers, deans and directors, assistant and associate deans and directors, departmental chairmen, administrative personnel within the professional and administrative classifications in the Personnel Pay Plan of each institution of the System, or unclassified administrative positions, and others by title whose positions are deemed involved in policymaking decisions by the President of the System and his staff. This determination will be made annually by the President of the System, upon recommendation of the executive head of the component institution, at the time of budget preparation.
- 31.(15) Employment after Retirement. --Any person receiving service retirement benefits from the Teacher Retirement System of Texas and who is over sixty (60) years of age may be employed in a public school of Texas on as much as a one-third time basis. This would usually limit employment in instruction to no more than one (1) three-semester-hour course during any one semester of the long term, one (1) three-semester-hour course during a six-week term. One-third employment for staff shall in no case exceed fifty-nine (59) clock hours in any calendar month. This employment of a person receiving service retirement shall not affect his right to continue to receive benefits under the Teacher Retirement System of Texas. However, this employment does not entitle the person to receive additional creditable service under the Teacher Retirement System of Texas and the person so employed shall not be required to make further contributions to the Teacher Retirement System of Texas. Application of this provision

to individual cases shall be based on institutional benefit or need and will be recommended through appropriate administrative officers to the President of the System for approval.

- 31.(16) The regulations and provisions of this section (Sec. 31) shall not apply to those professional and nonclassified administrative staff members of The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston who participate in the retirement program financed through the Physicians Referral Service. Such individuals shall retire at age 65. Any subsequent employment prior to age 70 shall be recommended on a year-to-year basis only for those persons whose specialized talent or productivity meets an institutional need.
- 31.(17) Whenever such action appears to be to the advantage and best interest of the System or any of its component institutions, the Board, upon recommendation of institutional heads and the President of the System, may, by unanimous vote of the members present, make exceptions to this rule in special and extreme cases.

Sec. 32 Staff Benefits. --For other staff benefits, see Part Two hereof.

CHAPTER IV

FACULTY ORGANIZATION

Sec. 1. Educational Policy.

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

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

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

- 2.12 Student life and activities.
 - 2.13 Requirements of admission and graduation.
 - 2.14 Honors and scholastic performance generally.
 - 2.15 Approval of candidates for degrees.
 - 2.16 Faculty rules of procedure.
- 2.2 Necessity of Approval by Regents. --Legislation recommended by an institutional faculty, or legislative body thereof, requiring approval of the Board, shall not be effective unless and until approved by the Board. Such legislation by a college or school faculty shall not be presented to the Board until it has been approved by the institutional faculty, either directly or through its legislative body, and has received the consideration and recommendation of the appropriate institutional head(s) and the President of the System. The faculty affected will be notified by the Board through administrative channels, of its action on recommended faculty legislation.
- 2.3 When Legislation is Effective. --Except where the Board has specifically authorized procedure for placing into effect emergency faculty legislation without prior Board approval, institutional faculty legislation shall become effective only upon approval by the Board or at such later time as the Board shall specify. The secretary of the institutional faculty shall be notified of Board action, and notice of such action shall be included in the official minutes of the faculty.
- 2.4 Approval of Degree Candidates. --It shall be the duty of the several institutional faculties to recommend approval or disapproval of all candidates for degrees. This duty may be delegated for any academic year by affirmative vote of the institutional faculty, or its legislative body, to the respective deans or other appropriate official. Should this duty not be delegated, then the institutional registrar, or his equivalent, shall furnish to the members of the institutional faculty a complete list of the degree candidates for recommendation.
- 2.5 List of Degree Candidates in Minutes. --The institutional registrar, as soon as possible after each commencement, shall provide the secretary of his institutional faculty, or its legislative body, with a complete list of all successful degree candidates, and the secretary shall insert the list in the minutes of the faculty.
- 2.6 Changes in Degree Requirements. --Changes in degree requirements shall not become effective until approved by the Board and published in the appropriate catalogue; provided, however, that students may be given the benefit of any action reducing or modifying the requirements for their degree immediately upon Board approval.
- 2.7 Faculty Minutes. --Copies of institutional faculty minutes, or of their legislative bodies, shall be available for use of members of the particular faculties individually, if desired; and shall be filed in the office of their secretaries, the institutional heads, the President of the System, and the Secretary to the Board and in the institutional libraries.

CHAPTER V

GRADUATE EDUCATION IN THE UNIVERSITY OF TEXAS SYSTEM

- Sec. 1** The various component institutions of the System authorized to offer graduate degrees shall provide and maintain an appropriate faculty and administrative organization for such graduate degrees. The chief administrative officer of each component institution of the System shall be responsible to the President of the System, and through him, to the Board for the policies and administration of the graduate programs.
- 1.1** "Graduate programs," as the term is used in these rules, does not include the programs that lead to the M.D., D.D.S., M.P.H., Dr. P.H., J.D., LL.M., and M.C.J. degrees, or others that may be excluded upon recommendation by the chief administrative officer of the component institution and concurrence by the President of the System.
- Sec. 2** Within the general academic components, the designation "Graduate School" will be used if (a) there is a minimum of three distinct programs approved for doctoral degrees and thirty such doctoral degrees have been awarded; or (b) there is a minimum of ten distinct programs approved for master's degrees and fifty master's degrees have been awarded. In component institutions that do not meet these requirements, graduate study will be in a "Division of Graduate Studies."
- Sec. 3** Graduate programs in the biomedical components shall be administered as follows:
- 3.1** In the Health Science Centers at Dallas, Houston, and San Antonio and at Galveston Medical Branch the graduate programs will be administered through a Graduate School of Biomedical Sciences.
- 3.2** In the Nursing Schools of component institutions, graduate education will be administered as specific graduate programs coordinated by an administrative officer designated by the chief administrative officer of the component institution.
- 3.3** In the System Cancer Center research and graduate instruction will be offered in cooperation with other components which are authorized to award graduate degrees.
- Sec. 4** Component institutions which offer graduate degrees and elect an administrative organization and designations different from those authorized above may do so only upon the recommendation of the chief administrative officer, the concurrence of the President of the System, and the approval of the Board.
- Sec. 5** The policies and procedures for staffing and administering the graduate programs at all component institutions shall be set forth in the institutional Handbook of Operating Procedures. These policies and procedures shall include qualifications for faculty members assigned to teach graduate courses, supervise graduate programs, and advise graduate students.

CHAPTER VI

STUDENT SERVICES AND ACTIVITIES

Sec. 1 General Provisions.

- 1.1 These policies and regulations apply to all component institutions of the System and shall be implemented appropriately in the institutional supplement for each institution.
- 1.2 When the title, "Dean of Students," appears in this chapter, reference is made to the administrator bearing that title, or the officer or officers directly responsible for student affairs at each component institution.
- 1.3 All authority held and exercised by a Dean of Students is delegated to him by the institutional head just as all authority held and exercised by an institutional head is delegated to him by the President of the System. Therefore, any action taken is subject to review by the institutional head and the President of the System, and both the President of the System and the institutional head may approve, amend, or disapprove such action, just as the President of the System may approve, amend, or disapprove any action taken by the administrative head of any component institution.
- 1.4 Any individual student, group of students, or student organization may petition the Board on any matter relating to these policies and regulations through the Dean of Students, the institutional head, and the President of the System.
- 1.5 These policies and regulations shall become effective on November 11, 1977 and shall, at that time, supersede all other policies and regulations that may be in conflict herewith.
- 1.6 Definition of Student. --A student is one who is currently enrolled at any of the component institutions of the System. These policies and regulations will also apply to any prospective or a former student who has been accepted for admission or readmission to any component institution while he is on the campus of any component institution.
- 1.7 Definition of Campus. --The campus of a component institution is defined as all real property over which that institution has possession and control.

Sec. 2 The Dean of Students and His Staff.

- 2.1 The Dean of Students shall be the administrative officer primarily responsible for the development and administration of policies relating to students and for the development and implementation of services to students in the areas assigned to him. He shall have responsibility for the initial preparation of institutional regulations which will implement the policies and regulations set forth in this chapter.

- 2.2 The Dean of Students shall have primary responsibility for (1) the supervision and development of student out-of-class programs and the activities and of all student organizations; (2) the development of policies affecting student life; (3) the promulgation and enforcement of institutional rules that govern student conduct; and (4) the administration of student discipline on the campus.
- 2.3 The administrative staff of the Dean of Students shall consist of the heads of services for which he has administrative responsibility.
- 2.4 The Dean of Students shall work with academic deans and department chairmen in structuring and implementing a program of faculty advising for both old and new students.
- 2.5 The Dean of Students shall be responsible for the preparation of the budgetary recommendations for the student services and activities under his jurisdiction.

Sec. 3 Student Conduct and Discipline.

- 3.1 The System and its component institutions have rules and regulations for the orderly and efficient conduct of their business, and each student is charged with notice and knowledge of the contents and provisions thereof.
- 3.2 All students are expected and required to obey the law, to show respect for properly constituted authority, and to observe correct standards of conduct.
 - 3.21 Gambling, immoral conduct, dishonesty, or the excessive use of intoxicating liquors renders the student subject to discipline.
 - 3.22 Any student who is guilty of the illegal use, possession and/or sale of a drug or narcotic on the campus of a component institution of the System is subject to discipline, including expulsion, pursuant to the procedures set out in Subsections 3.(10) and 3.(11) of this chapter.
- 3.3 For the purpose of this subsection, H.B. No. 447, Acts of the 63rd Legislature, Regular Session, 1973, shall be referred to as the Texas Controlled Substances Act. With respect to acts giving rise to charges under the foregoing Subsection 3.3b before the effective date of the Texas Controlled Substances Act, (1) the word "drug" means "dangerous drug" as defined in Section 2, Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as amended, and as in effect prior to the effective date of the Texas Controlled Substances Act (Article 726d, Vernon's Texas Penal Code); and (2) the word "narcotic" means "narcotic drugs" as defined in Section 1, Chapter 169, Acts of the 45th Legislature, Regular Session, 1937, as amended and as in effect prior to the effective date of the Texas Controlled Substances Act (Article 725b, Vernon's Texas Penal Code). With respect to acts giving rise to charges under the foregoing Subsection 3.3b after the effective date of the Texas Controlled Substances Act, the word "drug" or "narcotic," or both, includes any controlled substance listed in Schedules I through V, Penalty Groups 1 through 4, Section 2.17, and Section 4.05 of the Texas Controlled Substances Act.

- 3.4 The use of intoxicating beverages is prohibited in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas; provided, however, that with the prior consent of the institutional head, the foregoing provisions of this section may be waived with respect to any specific affair which is sponsored by the institution. However, with respect to the possession and consumption of alcoholic beverages, state law will be strictly enforced at all times on all property controlled by the System and its component institutions.
- 3.5 No former student who has been suspended for disciplinary reasons from a component institution of the System shall be permitted on the campus of any component institution during the period of such suspension without the prior written approval of the chief administrative officer of that institution.
- 3.6 Hazing in state educational institutions is prohibited by state law (Section 4.19, Chapter 4, Title I, Texas Education Code). Hazing with or without the consent of a student is prohibited by the System, and a violation of that prohibition renders both the person inflicting the hazing and the person submitting to the hazing subject to discipline.
- 3.7 Initiations by organizations may include no feature which is dangerous, harmful, or degrading to the student, and a violation of this prohibition renders the organization subject to discipline.
- 3.8 Any student who advocates or recommends, either orally or in writing, the conscious and deliberate violation of any federal, state or local law is subject to discipline.
- 3.9 Any student who, acting either singly or in concert with others, obstructs or disrupts, by force or violence, any teaching, research, administrative, disciplinary, public service, or other activity authorized to be held or conducted on the campus of a component institution of the System, shall be subject to discipline, including expulsion. As used in this subsection, the words "force or violence" include such acts as "stand-ins," "sit-ins," and "lie-ins," when such acts are in fact obstructive or disruptive of any of the authorized activities listed above.
- 3.(10) The Dean of Students shall have primary authority and responsibility for the administration of student discipline at his institution. It shall be his duty to investigate allegations that a student has violated the Regents' Rules and Regulations, the rules and regulations of the institution, or specific orders and instructions issued by an administrative official of the institution in the course of his duties.
- 3.(10)1 If the Dean of Students determines that such allegations are not unfounded, he shall prepare a written statement of charges, a statement of the evidence supporting such charges, including a list of witnesses and brief summary of the testimony to be given by each, and shall send such charges and statement to the accused student by certified mail, return receipt requested, addressed to the address appearing in the registrar's records.

- 3.(10)2 In any case where the accused student does not dispute the facts upon which the charges are based and executes a written waiver of the hearing procedures specified in Subsection 3.(11), the Dean of Students shall assess the penalty appropriate to the charges and inform the student of such action in writing. The decision of the dean of students may be appealed as in the case of a decision rendered subsequent to a hearing in accordance with Subsection 3.(11).
- 3.(11) In those cases in which the accused student disputes the facts upon which the charges are based, such charges shall be heard and determined by a fair and impartial person selected in accordance with procedures adopted by the institution. Except in those cases where immediate interim disciplinary action has been taken under authority of Subsection 3.15, the accused student shall be given at least 10 day's notice of the date, time, and place for such hearing and the name of the person who will hear and decide upon the charges. Upon a hearing of the charges, the institution has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of the credible evidence. The hearing shall be conducted in accordance with procedures adopted by the institution and that assure both the institution and the accused student the following minimal rights:
- (A) the right of the Dean of Students and the accused student to have, reasonably in advance of the date fixed for the hearing, a list of the witnesses to be presented by the opposing party and a brief summary of the testimony to be given by each;
 - (B) the right to appear and present evidence in person or through a designated representative or counsel of choice;
 - (C) the right to cross-examine the witnesses testifying on behalf of the opposing party; and
 - (D) the right to have all proceedings at the hearing recorded electronically or stenographically and transcribed.
- 3.(11)1 Prior to the date of the hearing, the accused student may challenge the fairness or objectivity of the person designated to hear the charges, but he shall not be entitled to disqualify the person challenged. It shall be up to the individual challenged to determine whether he can serve with fairness and objectivity. The institutional regulations shall provide for the selection of a substitute for a challenged person who disqualifies himself.
- 3.(11)2 The person hearing the charges shall render a written decision as to the accused student's guilt or innocence of the charges and shall set forth findings of fact in support of the charges. The penalty shall also be stated in the decision. The accused student and the Dean of Students shall each be given a copy of the decision.
- 3.(11)3 Either the Dean of Students or the accused student may appeal the decision to the Board through the chief administrative officer of the institution and the President of the System. The decision will be reviewed at each level of such appeal upon the basis of the written transcript of the hearing. Arguments either against or in support of the decision will be considered by the reviewing authority and, at the discretion of such authority, will be presented in writing rather than orally.

- 3.(11)⁴ The chief administrative officer of the institution, the President of the System, or the Board may approve, reject, or modify the decision in question, or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. The action of each reviewing authority shall be communicated in writing to the accused student and the Dean of Students.
- 3.(12) Through matriculation at an institution of the System, a student neither loses the rights nor escapes the responsibilities of citizenship. Students who violate the law may incur penalties prescribed by civil authority, but institutional penalties shall not be used merely to duplicate the penalties imposed by civil authority. However, when a student violation of the law occurs on the campus of a component institution or in connection with a component institution-oriented activity, institutional penalties may be imposed regardless of whether penalties have been imposed by civil authority for the same offense.
- 3.(13) Upon his indictment for a felony, a student may be suspended by the Dean of Students pending a final disposition of the indictment. If the student is not acquitted, his readmission to the institution will be subject to the approval of the Dean of Students and the institutional head.
- 3.(14) Since the value of an academic degree depends on the absolute integrity of the work done by the student for that degree, it is imperative that a student maintain a high standard of individual honor in his scholastic work. Scholastic dishonesty is the submission as one's own work of material that is not one's own. As a general rule, it involves one of the following acts: cheating, plagiarism, and/or collusion. Each component institution will adopt detailed regulations concerning scholastic dishonesty.
- 3.(15) The Dean of Students, the institutional head, or the President of the System may take immediate interim disciplinary action, including suspension pending a hearing, against a student for violation of a rule and regulation of the System or of the institution at which the accused is a student when, in the opinion of such official, the interest of the System or the component institution would be served by such action.
- 3.(16) Each component institution shall maintain for every student who has received any disciplinary penalty at such institution, a permanent written disciplinary record that shall reflect the nature of the charge, the penalty assessed, and any other pertinent information. This disciplinary record shall be separate from the student's academic record and shall be treated as confidential, and the contents shall not be revealed except upon request of the student or upon direction of the institutional head or his delegate.
- 3.(17) Every student is expected to obey all federal, state, and local laws, and particularly the three state statutes set out below. Any student who violates any provision of these three statutes is subject to disciplinary action, including expulsion, notwithstanding any action taken by civil authorities on account of the violation:

3.(17)¹ DISORDERLY CONDUCT.

Section 1. No person, acting alone or in concert with others, may engage in disorderly conduct. Disorderly

conduct consists of any of the following:

- (1) behavior of a boisterous and tumultuous character in a residential area of a public place such that there is a clear and present danger of alarming persons where no legitimate reason for alarm exists; or
- (2) interfering with the peaceful and lawful conduct of persons in or about their homes or public places under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (3) violent and forceful behavior at any time in or near a public place, such that there is a clear and present danger that free movement of other persons will be arrested or restrained, or other persons will be incapacitated in the lawful exercise of business or amusement; or
- (4) behavior involving personal abuse or assault when such behavior creates a clear and present danger of causing assaults or affrays; or
- (5) in a public or private place engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (6) willful and malicious behavior that interrupts the speaker of any lawful assembly or impairs the lawful right of others to participate effectively in such assembly or meeting when such conduct tends to cause or provoke a disturbance; or
- (7) behavior near a courthouse or other public building wherein judicial proceedings are being held, designed or having the effect of interfering with the administration of justice, whether by disrupting the courts or by intimidating the judges, witnesses, jurors, or other persons having business with the courts; or
- (8) behavior near any public building wherein matters affecting the public are being considered or deliberated, designed or having the effect of interfering with such proceedings under circumstances in which such conduct tends to cause or provoke a disturbance; or
- (9) willful and malicious behavior which obstructs or causes the obstruction of any doorway, hall, or any other passageway in a public building to such an extent that the employees, officers, and other persons, including visitors and tourists, having business with the government are denied entrance into, exit from, or free passage in such building; or

- (10) behavior involving the display of any deadly weapon in a public place in such a manner as to alarm or frighten other persons present; or
- (11) enters upon the property of another and for a lewd or unlawful purpose deliberately looks into a dwelling on the property through any window or other opening in it.

Section 2. Any person who violates any of the provisions of Section 1 of this Article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than Two Hundred Dollars (\$200). For any second or subsequent conviction of any of the provisions of Section 1 of this Article such person shall be punished by a fine of not less than One Hundred Dollars (\$100) nor more than One Thousand Dollars (\$1,000), or by imprisonment in the county jail for not more than thirty (30) days or by both such fine and imprisonment.

(H.B. No. 57, Acts of the 61st Legislature, Regular Session, 1969)

3.(17)2 DISRUPTIVE ACTIVITY.

Sec. 1. No person or group of persons acting in concert may willfully engage in disruptive activity or disrupt a lawful assembly on the campus or property of any private or public school or institution of higher education or public vocational and technical school or institute.

Sec. 2(a) For the purposes of this Act, "disruptive activity" means:

- (1) obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building without the authorization of the administration of the school;
- (2) seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research or other authorized activity;
- (3) preventing or attempting to prevent by force or violence or the threat of force or violence any lawful assembly authorized by the school administration;
- (4) disrupting by force or violence or the threat of force or violence a lawful assembly in progress; or
- (5) obstructing or restraining the passage of any person at an exit or entrance to said campus or property or preventing or attempting to prevent by force or violence or by threats thereof the ingress or egress of any person to or from said property or campus without the authorization of the administration of the school.

(b) For the purposes of this Act, a lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the use of force or violence or due to a reasonable fear that force or violence is likely to occur.

Sec. 3 A person who violates any provision of this Act is guilty of a misdemeanor and upon conviction is punishable by a fine not to exceed \$200 or by confinement in jail for not less than 10 days nor more than 6 months, or both.

Sec. 4 Any person who is convicted the third time of violating this act shall not thereafter be eligible to attend any school, college or university receiving funds from the State of Texas for a period of two years from such third conviction.

Sec. 5 Nothing herein shall be construed to infringe upon any right of free speech or expression guaranteed by the Constitutions of the United States or the State of Texas.

(H.B. No. 141, Acts of the 61st Legislature, Regular Session, 1969)

Sec. 6 Neither the institutional head nor the President of the System, nor any representative of either of them when dealing with disruptive activities as defined in Section 2(a) above, shall negotiate or attempt to negotiate with any person or persons engaged in any disruptive activity on the campus of any component institution of the System. When such a situation arises, the institutional head or the President of the System, or any representative of either of them, shall take immediate action to utilize all lawful measures to halt and eliminate any and all such disruptive activities that come to their attention.

Sec. 7 Any person who, acting either singly or in concert with others, engages in any disruptive activity [as defined in Section 2(a) above] on the campus of any component institution of the System is subject to discipline, including expulsion from enrollment as a student or dismissal from employment as a faculty or staff member. The institutional head or the President of the System may take immediate interim disciplinary action, including suspension as a student or faculty or staff member pending a hearing, against any person who engages in any such disruptive activity.

3.(17)3 FIREARMS.

Sec. 1 It shall be unlawful to interfere with the normal activities, the normal occupancy, or normal use of any building or portion of a campus of any private or public school or institution of higher education or public vocational and technical school or institute by exhibiting or using or threatening to exhibit or use a firearm.

Sec. 2 A person who violates Section 1 of this Act is guilty of a felony and upon conviction is punishable by a fine of up to \$1,000 or by imprisonment in jail for a period not to exceed 6 months, or by both fine and imprisonment, or by imprisonment in the state penitentiary for a period not to exceed five years.

(H.B. No. 1450, Acts of the 61st Legislature, Regular Session, 1969)

3.(18) Pursuant to the authority conferred upon the Board of the System by

Chapter 80, Acts of the 60th Legislature, Regular Session, 1967 (Article 2919j, Vernon's Texas Civil Statutes), and in order to protect the safety and welfare of students and employees of the component institutions of the System and to protect the property of the System, it is hereby declared that it shall be unlawful for any person to enter, walk, run, lie, play, remain, or be in the water of any fountain or other artificial body of water located on the campus of any component institution of the System unless such person shall have theretofore been granted permission by the administrative head of that institution to enter, remain, or be in such water.

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

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

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

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

3. (19) The minimum standards of individual conduct required by the penal statutes of Texas or the United States are both expected and required of every student attending any component institution of the System. Any student who violates such standards of conduct is subject to discipline by the Dean of Students, regardless of whether or not any action is taken against the student by civil authorities on account of such violation. If disciplinary action is taken, the Dean of Students shall proceed with action in the same manner as he would in the case of a violation of any other provision of these rules and regulations or a provision of any institutional supplement.

Sec. 4 Student Organizations.

- 4.1 An organization in which membership is limited to students (recognizing that faculty and staff may also be members) of a component institution may become a registered student organization at that institution by complying with the registration procedures established by the Dean of Students.
- 4.2 The Dean of Students, with the approval of the institutional head, may establish regulations requiring faculty or staff advisers for registered student organizations.
- 4.3 A registered student organization may state that its membership is composed of students, or of students, faculty, and/or staff, of a component institution, but it shall not suggest or imply that it is acting with the authority or as an agency of that institution.
- 4.4 The Dean of Students, with the approval of the institutional head, may issue regulations governing the eligibility of students for participation in organized activities.

- 4.5 At each component institution, an appropriate committee or committees shall have initial jurisdiction over all registered student organizations.
- 4.6 Any student organization is subject to disciplinary action or revocation of registration as a student organization for violation of a rule or regulation of the System and/or of, the institution at which the organization is registered.
- 4.7 The administrative head of each component institution of the System shall require and enforce the following:
- 4.71 As a condition to being a registered student organization or group during a semester, every registered student organization or group shall furnish to the appropriate institutional officer at the beginning of each such semester a complete list of officers or other members of the organization or group who are authorized to speak for or represent the organization or group in its relations with the institution and who are authorized to receive for the organization or group official notices, directives, or information from the institution. Each such list shall be kept current and accurate throughout the semester by the organization or group, and it shall be conclusively presumed that the officers or members whose names are on the list most recently filed by the organization or group are authorized to speak for and represent the organization or group in its relations with the institution and are authorized to receive for the organization or group official notices, directives, or information from the institution.
- 4.72 No registered student organization or group may have any person as a member who is not either a student or a member of the faculty or staff of the institution. Except pursuant to the provisions of Section 6.5 of this chapter, no organization or group, whether registered or not, may use any facility of any component institution of the System if it has as a member any person who is not either a student or a member of the faculty or staff of the institution.
- 4.73 At the beginning of each semester, each registered student organization or group must file with the appropriate institutional officer an affidavit stating that the organization or group does not, and will not during the semester, have as a member any person who is not either a student or a member of the faculty or staff of the institution. If an organization or group fails or refuses to file the required affidavit, or if, after such reasonable investigation as the institutional head shall deem appropriate (which investigation shall afford the accused registered organization or group every right guaranteed to it by the due process clauses of the United States and Texas Constitutions), the institutional head shall during the semester find that the affidavit is or has become false, and that the organization or group does, in fact, have as a member a person who is not either a student or a member of the faculty or staff of the institution, the institutional head shall immediately cancel the registered status of the organization or group and shall deny to the organization or group any and all privileges to which it would otherwise be entitled as a registered student organization or group.
- 4.74 No organization or group, whether registered or not, may use the facilities of any component institution as long as it

owes a monetary debt to the institution and the debt is considered delinquent by the crediting institutional agency.

- 4.8 No component institution shall register any student organization or group whose actions or activities, in the opinion of the institutional head or the President of the System, are inimical to the educational purpose and work of the institution.
- 4.9 A registered student organization whose registered status has been canceled by the institutional head pursuant to Subsection 6.13 of Section 6 of this chapter or Subsection 4.73 of Section 4 of this chapter may apply for re-registration not less than six months following the date of such cancellation.

Sec. 5 Participation in Student Government.

- 5.1 Students' Associations. --Students' associations currently authorized at the component institutions of the System are hereby approved. They shall have such jurisdictions and shall exercise such powers as the Board may now or hereafter delegate to them.
- 5.11 Constitutions and Laws Approved. --The constitutions and laws of the several associations in force at the date of adoption of these Rules and Regulations are hereby approved.
- 5.12 Mode of Amending Constitutions and Laws. --An amendment to the constitution or laws of a students' association may be adopted by an association, in accordance with its constitution and laws, but the change shall not become effective until transmitted to and acted upon by the Dean of Students, the institutional head, and the President of the System and approved by the Board.
- 5.13 Amendment or Repeal by Regents. --The Board shall amend or repeal any portion of the constitution and laws of a students' association when, in the judgment of the Board, the interests of the particular institution shall require it.
- 5.14 Amendment or Repeal by Dean of Students. --The Dean of Students shall have the power, when in his judgment the interests of the institution require it, to amend or repeal any provision in the constitution or laws of the particular association, but his action shall be in force only until the next meeting of the Board when Section 5.13, above shall become applicable.
- 5.15 Salaried Employees Approved by Regents. --All persons officially employed on salary by or under the direct supervision of a students' association shall be subject to approval by the Dean of Students, the institutional head, the President of the System, and the Board, both as to salary and as to qualifications
- 5.16 Annual Financial Reports. --Every officially recognized students' association shall make annually a complete financial report to the institutional business officer, and shall make such special reports as may be called for by such business officer. A duplicate copy of each report shall be filed with the Dean of Students. Committees and administrative units of a students' association maintaining a budget in excess of \$25.00 per annum shall make such interim reports of financial condition as may be required by the Dean of Students.

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

Sec. 6 Use of University-Owned Facilities.

- 6.1 The institutional head or his delegate has the responsibility of establishing regulations and procedures for the use of institutional buildings, grounds, and other facilities for purposes other than regular academic use. Such regulations and procedures shall be in accordance with the following:
- 6.11 As used in this section, the word "solicitation" means the sale or offer for sale of any property or service, whether for immediate or future delivery, and the receipt of or request for any gift or contribution.
- 6.12 No solicitation shall be conducted in any building or structure on the campus of any component institution of the System, provided, however, that the following activities shall be deemed not to be solicitations prohibited by this subsection if they are conducted in a manner that will not disturb or interfere with the regular academic or institutional programs being carried on in a building or structure, or do not interfere with entry to or exit from a building or structure:
- (1) The sale or offer for sale of any newspaper, magazine, or other publications by means of a vending machine in an area designated in advance by the institutional head or his delegate for the conduct of such activity.
 - (2) The sale or offer for sale of any food or drink item by means of a vending machine in an area designated in advance by the institutional head or his delegate for the conduct of such activity.
 - (3) The sale or offer for sale of any publication of the institution or of any book or other printed material to be used in the regular academic work of the institution.
 - (4) The operation by the institution or its subcontractor of any bookstore, specialty store, laundry mat, cafeteria, or other service facility maintained for the convenience of the students and/or faculty.
 - (5) The sale or offer for sale by the institution or its subcontractor of food and drink items and programs at athletic contests.

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

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

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

(9) The activities of any organization that can present to the institutional head, or his delegate, written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under 26 U.S.C.A. 501 (c) (3) (Internal Revenue Code).

6. 121 No organization may solicit under Subdivision (9) of this subsection for more than a total of fourteen days, whether continuous or intermittent, during each state fiscal year.

6. 13 No solicitation shall be conducted on the grounds, sidewalks, or streets on the campus of any component institution of the System, except by the agents, servants, or employees of that institution acting in the course and scope of their agency or employment, or by the students' association of that institution, or by a registered student, faculty, or staff organization at that institution.

(1) Solicitation made pursuant to the terms of Subsection 6. 13 must be conducted in such a way (a) that it will not disturb or interfere with the regular academic or institutional programs being carried on in campus buildings, (b) that it will not interfere with the free and unimpeded flow of pedestrian and vehicular traffic on sidewalks and streets and at places of ingress and egress to and from campus buildings, and (c) that it will not harass, embarrass, or intimidate the person or persons being solicited. If, after such reasonable investigation as the institutional head shall deem appropriate (which investigation shall afford the accused organization every right guaranteed by the due process clauses of the United States and Texas Constitutions) the institutional head determines that a solicitation is being conducted in a manner violative of this subsection, the institutional head shall prohibit the offending organization from solicitation on the campus for such period or periods of time as he shall determine to be appropriate and in the case of repeated violations of these solicitation rules, the institutional head may cancel the registered status of the offending organization.

(2) The students' association and each registered student organization shall, within 30 days following the end of each academic semester or summer session, file with the institutional head or his delegate a sworn statement fully and fairly disclosing the sources and amounts of money which it obtained

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

- 6.14 Use of Physical Facilities of the System by Registered Student Organizations. --Registered student organizations may use an institution's buildings and/or grounds in compliance with reasonable and nondiscriminatory institutional regulations that shall specify the procedures under which such organizations may reserve the institution's buildings and/or grounds for their use. Groups of students who are not registered may not use the institution's buildings and/or grounds. Registered student organizations may not enter into joint sponsorship of any on-campus project or program with individuals, groups, or students that are not registered.
- 6.15 Reasonable and nondiscriminatory regulations may be promulgated to authorize students and registered student organizations, under specified conditions, to petition, post signs, set up booths, and/or peacefully demonstrate on the campus. Such regulations shall prohibit any activity that would interfere with regular academic and institutional programs.
- 6.16 No person, whether or not a student or employee of a component institution, shall publicly distribute on the campus of any such institution any petition, handbill, or piece of literature that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law.
- 6.17 No person, whether or not a student or employee of a component institution, shall post or carry any sign or poster that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law.
- 6.18 No person, whether or not a student or employee of a component institution, shall install, occupy, or use on the campus of any such institution any booth, if the use of the booth is wholly or partly for the distribution or dissemination of words or material that is obscene, vulgar, or libelous, or that advocates the deliberate violation of any federal, state, or local law. For the purpose of this provision, the word "booth" includes furniture, enclosure, and any other structure temporarily installed for distributing petitions, handbills, or literature, or for displaying signs, or for raising funds or soliciting tangible items.
- 6.2 The use of student center or student union facilities on the campus of each component institution shall be subject to reasonable and nondiscriminatory regulations as may be promulgated by that center's governing board and approved by the Dean of Students and the institutional head.

- 6.3 Extracurricular student activities involving the use of System-owned buildings and grounds shall be conducted in accordance with local, state and national law and in accordance with the applicable System and institutional regulations. Such activities shall not disrupt or disturb the regular academic and institutional program and shall not result in damage to or defacement of property.
- 6.4 Identification Required.
- (a) Pursuant to the authority conferred upon the Board of the System by Chapter 80, Acts of the 60th Legislature, Regular Session, 1967 (Article 2919j, Vernon's Texas Civil Statutes), and in order to protect the safety and welfare of students and employees of the component institutions of the System, and to protect the property of the System, it is hereby declared that it shall be unlawful for any person on any property either owned or controlled by the System or any component institution to refuse to identify himself to an institutional representative in response to a request. For the purpose of this subsection, a person identifies himself by:
- (1) giving his name and complete address; and (2) by stating truthfully whether or not he is a student at the institution and whether or not he is an employee of the institution.
- (b) For the purpose of Subsection (a), an "institutional representative" is:
- (1) any member of the Board of the System;
 - (2) any administrative officer of the System, including the Chancellor, the Executive Assistant to the Chancellor, the Director for Development, the President of the System, the Vice President for Academic Affairs, the Vice President for Administration, the Vice President for Health Affairs, the Executive Director for Investments, Trusts and Lands, the Vice President for Operations, the Director for Public Affairs, the Comptroller, the Director of Facilities Planning and Construction, the Budget Director, the Vice President and General Counsel for the System, the Director of Police, the System Personnel Director, the Director for Special Services, and the Director of Accounting of The University of Texas at Austin;
 - (3) any administrative officer of the component institution, including the institutional head, any assistant to the institutional head, any vice president, any Dean of Students, and any associate or assistant dean of students; and
 - (4) any attorney, peace officer, or security officer of the System or the institution.
- (c) Any person who refuses to identify himself fully in accordance with Subsection (a) is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$200.
- (d) Any student who refuses to identify himself fully in accordance with Subsection (a) is, in addition to the penalty prescribed in Subsection (c), subject to discipline, including expulsion, by the institution.

- 6.5 Use of Physical Facilities by Outside Groups, the System as a Joint Sponsor. --Use of physical facilities of the System, especially auditoriums, gymnasiums, and large rooms, by outside groups shall be subject to the following rules in which the "System" shall mean any component institution.
- 6.51 The System will not permit the unrestricted use by non-System groups of any of its facilities.
 - 6.52 The System will not enter into joint sponsorship of any project or program that is to result in private gain for the cooperating group or groups.
 - 6.53 The System, established as a public institution without regard to political affiliation or religious faith, cannot be a joint sponsor with any noncampus organization for political or sectarian gatherings. However, the appearance by or on behalf of a candidate for public office may be authorized under conditions prescribed by the Board.
 - 6.54 Whenever non-System groups share in the use of System buildings, it must be upon the invitation of the System and under its joint sponsorship, and with the further understanding that all the conditions governing such sponsorship are to be set by the System.
 - 6.55 The System when entering into joint sponsorship of any program or activity assumes full responsibility for all details and reserves the right to approve all copy for advertising, as well as news releases.
 - 6.56 The System will not enter into joint sponsorship of any program or activity in which the educational implications are not self-evident and which does not directly supplement the educational purposes of the System.
 - 6.57 It shall be understood that the availability of the System's auditorium facilities for functions other than the institution's own activities is strictly subject to the needs and the convenience of the System, which are always to have priority in the scheduling of facilities.
 - 6.58 In the case of programs for which the System is a joint sponsor with some other group or organization, the fee to be paid by the co-sponsor will be a matter for negotiation in each case and will be specified in the agreement providing for the joint sponsorship.
- 6.6 The chief administrative officer of a component institution may designate specific facilities of a component institution, such as special events centers, concert halls, theaters, or auditoria, as Special Use Facilities. The chief administrative officer shall cause to be prepared and submitted for approval, as a part of the Handbook of Operating Procedures of the institution, appropriate rules and regulations for the reservation and use of such designated Special Use Facilities. Such rules and regulations must restrict the reservation and use of such facilities in accordance with the following:
- 6.61 Designation as a Special Use Facility shall not constitute the facility as a public facility open to use by non-University persons, groups, associations, or corporations on a first come, first served basis.
 - 6.62 Priority in the reservation and use of Special Use Facilities shall be given to activities and events sponsored by the component institution that are in furtherance of and related

to the educational, cultural, recreational, and athletic programs of the institution.

- 6.63 As a lower priority, the institutional rules and regulations may provide for reservation and use of Special Use Facilities by non-University individuals, groups, associations or corporations, without the necessity of joint sponsorship by the institution. The institution shall establish rates to be charged for the use of the facility that will, at a minimum, insure recovery of that part of the operating cost of the facility attributable directly or indirectly to such non-University use. If the non-University user charges those attending an event any admission or registration fee, or accepts donations from those in attendance, the institution shall require the user to make a complete account of all funds collected and of the actual cost of the event. If the funds collected exceed the actual cost of the event, the user shall be required to remit such excess funds to the institution as an additional charge for the use of the Special Use Facility.
- 6.64 Subject to all constitutional and statutory provisions relating to the use of state property or funds for religious or political purposes, and subject to Subsection 6.63, above, Special Use Facilities may be made available for religious and political conferences or conventions. Religious organizations applying for use of a Special Use Facility must submit written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501(c)(3) of Title 26 of the United States Code [Internal Revenue Code]. Political organizations applying for use of a Special Use Facility must present written evidence that the organization had candidates for either state, district, or local offices listed on the ballot at the last general election. A religious or political organization shall be permitted to use a Special Use Facility only one time during a calendar year.

Sec. 7 Speech and Assembly.

- 7.1 Freedom of inquiry and discussion are basic and essential to intellectual development. Students have the right, therefore, to freedom of speech and assembly, subject to reasonable nondiscriminatory rules and regulations adopted by the System and/or the component institution.
- 7.11 "It shall be unlawful for any person knowingly or willfully to . . . advocate, abet, advise, or teach by any means . . . under such circumstances as to constitute a clear and present danger to the security of the United States, or of the State of Texas, or of any political subdivision of either of them . . ." (Texas Civil Statutes, Article 6889-3A, Sec. 5.)
- 7.12 Students who are candidates for public office or students appearing in the interest of a particular candidate or candidates for public office may be permitted the use of institution-owned facilities under the provisions of paragraphs 7.241 and 7.242 of this chapter.
- 7.2 Off-Campus Speakers. --The Board has and reserves the right to regulate the presentation of guest speakers on the campus who are unaffiliated with the System or any component institution thereof (hereafter referred to as off-campus speakers).

- 7.21 Only registered student organizations, faculty or staff organizations, System-owned dormitories, and Student Government may present off-campus speakers on the campus.
- 7.22 The organization sponsoring an off-campus speaker has the responsibility of making clear the fact that the organization, not the institution, is extending the invitation to speak and that any views the speaker may express are his own and not necessarily those of the System or of any component institution.
- 7.23 An off-campus speaker is subject to the Texas Civil Statutes as quoted in Section 7.11 of this chapter.
- 7.24 Registered student organizations, faculty or staff organizations, University-owned dormitories, and Student Government may be permitted the use of System-owned facilities to present off-campus speakers on campus pursuant to the facilities' use regulations promulgated by the component institution and subject to the requirement that each component institution must submit to the System Administration for approval as a part of its Institutional Handbook for Operating Procedures a copy of all applicable facilities' use regulations, and no facilities' use regulation shall have any force or effect until it has been approved by the President of the System and the Vice President and General Counsel for the System.
- 7.25 An application for the use of any System-owned facility must be made to the chief administrative officer, or his delegate, at least forty-eight hours before the time the event is scheduled to take place.
- 7.26 No person shall be permitted to speak on any campus of the System who is known to advocate or recommend, either orally or in writing, the conscious and deliberate violation of any federal, state, or local law.
- 7.27 No off-campus speaker who is to be paid from state funds as consideration for his or her speech shall be permitted to speak on the campus of any component institution of the System unless the university facility in which the speech is to be delivered will be open to the public, including members of the news media, who will be entitled to record, videotape, or telecast live portions of the speech. The provisions of this subdivision do not apply to classes, seminars, symposia, and conferences intended for the use and benefit of students, faculty, staff, and invited guests. No person may in any way obstruct or lessen in any way the opportunity for the audience to take the fullest advantage of the speech, including the opportunity to see and hear the speaker during the entire speech. The provisions of this subdivision apply prospectively from the date of its adoption by the Board.

Sec. 8 Off-Campus Student Housing.

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

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

- 9.1 Neither the System nor any component institution is responsible for debts contracted by individual students or by student organizations.

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

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

Sec. 10 Anonymous Publications.

- 10.1 Anonymous publications are prohibited. Any student publishing or aiding in publishing, or circulating or aiding in circulating, any anonymous publication will be subject to discipline.

Sec. 11 Other Regulations Concerning Student Affairs are Reported in the Rules and Regulations of the Board, as follows:

Fellowships, Scholarships, and Loan Funds - Part Two, Chapter I, Sec. 2, p. 2.

Tuition and Other Fees - Part Two, Chapter I, Sec. 3, p. 2.

Policy Against Discrimination - Part Two, Chapter I, Sec. 5, p. 3.

Auxiliary Enterprises - Part Two, Chapter X, Sec. 1-7, p. 69.

Texas Student Publications at The University of Texas at Austin - Part Two Chapter X, Sec. 8, pp. 70-71.

CHAPTER VII

THE SYSTEM PRIVATE-FUND DEVELOPMENT AND FOUNDATIONS

Sec. 1 The System Private-Fund Development.

- 1.1 Responsibilities of the Board and Administrative Officials of the System in Private-Fund Development. --
- 1.11 Among the most important responsibilities of the Board are those of establishing policies and procedures by which the developmental needs of the System and its component institutions can be determined and of directing vigorous efforts to attract private-fund support for meeting these needs.
- 1.12 The Chancellor is to serve as the Chief Executive Officer for Fund Development and as the agent of the Board for the discharge of development responsibilities.
- 1.121 The Chancellor shall define for the Board, at periodic intervals, descriptions of current and future needs, as determined by the institutional heads and System Administration, taking into

account such needs as the System Development Advisory Council and each component institution development board may have recommended.

1.2 Responsibilities and Duties of the System Development Advisory Council:

- 1.21 The System Development Advisory Council is the group responsible for advising the Chancellor on all private-fund development for the System.
- 1.22 The System Development Advisory Council shall advise the Chancellor on policies to govern activities for cultivating and securing private funds for the System and its component institutions.
- 1.23 In the absence of unusual circumstances, no major private-fund development effort or decision, not covered by previously adopted regulations of the Board, shall be recommended by the Chancellor to the Board without prior advice thereon from the System Development Advisory Council and the component institution development board, which advice shall be transmitted to the Board.
- 1.24 The System Development Advisory Council shall have particular responsibility to advise the Chancellor with regard to:
 - 1.241 The development, with the cooperation and assistance of each component institution development board, of the total private-fund needs of each component institution of the System.
 - 1.242 The planning, coordination, and promoting, with the component institution development board, of support for both current and long-term programs to meet developmental needs of the System and its component institutions.
 - 1.243 The development of continuing gift possibilities not related to predetermined projects.
 - 1.244 The content of periodic progress reports from the Chancellor to the Board on the development plans and programs of the System.
 - 1.245 Appropriate recognition of donors by the System or the institutional development boards.
 - 1.246 The enlistment of the aid of numerous friends of the System and its component institutions in fund-development efforts, and the establishment of such committees and other groups as seem desirable in carrying out its program.

1.3 Composition and Operation of the System Development Advisory Council. --

- 1.31 The System Development Advisory Council membership shall consist of:
 - (1) The Chancellor of the System as Chairman.
 - (2) A member to be elected by each component institution development board. Initial appointments to the System Development Advisory Council shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointments to the committee will be a three-year term. All terms will officially begin on September 1.

- 1.32 The System Development Advisory Council shall cause accurate minutes of its proceedings to be kept, and shall file copies with the Secretary to the Board. It shall assist the Chancellor in the preparation of an annual evaluation report on the development function. This report shall be transmitted to the Board.
- 1.33 The System Development Advisory Council shall conduct its operations in accord with the policies and regulations of the Board, and shall make recommendations concerning policies through the Chancellor to the Board.
- 1.4 Development Executive Officer of the System. --
 - 1.41 Within the Office of the Chancellor there may be appointed by the Chancellor the Executive Director for Development who shall be responsible to the Chancellor. He is subject to supervision, evaluation, and termination of employment by the Chancellor.
 - 1.42 This Executive Director for Development shall have such staff and operating funds as shall be determined from time to time by budgets recommended by the Chancellor and adopted by the Board.
- 1.5 Finances. -- Financial support of the System Development Advisory Council and the Executive Director for Development shall be provided exclusively by appropriation of the Board. Such appropriation will be made through established budgetary procedures. The Board may accept gifts designated for use by the System Development Advisory Council and may make such funds available for expenditure by said committee.

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

- 2.1 With the approval of the institutional head, the Chancellor, and the Board of Regents, any component institution may have a development board dedicated to its own unique interests. Such a development board is the agency responsible through the institutional head to the Chancellor, and through him to the Board of Regents, for all private-fund development for that component institution. Each component institution development board shall determine its development needs and shall direct the formulation of plans and the promotion of support for its programs.
- 2.2 Responsibilities and duties of the component institution development boards:
 - 2.21 The component institution development board is the agency responsible to the institutional head of each institution for all private-fund development for that institution.
 - 2.22 The component institution development board shall recommend through the institutional head and the Chancellor to the Board of Regents the approval of current and long-range policies which shall govern activities and responsibilities in cultivating and securing private funds for the institution.
 - 2.23 The component institution development board shall have responsibility:
 - 2.231 For studying and developing total development needs of the component institution.
 - 2.232 For coordinating and formulating plans and actively promoting support for both current and long-range

- programs to meet the developmental needs of the component institution.
- 2.233 For developing gift possibilities not related to pre-determined projects.
- 2.234 For periodic reports of progress to the institutional head and the Chancellor on the plans and programs of the component institution development board. It is expected that a continuing program of the component institution will include collection and dissemination of information regarding gifts and endowments.
- 2.235 At periodic intervals, the institutional head shall lay before his development board descriptions of current development needs.
- 2.3 Composition and Operation of the Component Institution Development Board:
- 2.31 The component institution development board shall consist of not more than 25 appointed members, and these shall be recommended and appointed by the institutional head of each component institution with prior specific written approval of the Chancellor and the Board of Regents. Initial appointments to the component institution development board shall draw lots providing for one-third of the total membership to serve for one, two, or three-year terms. All terms following the initial appointment of the board will be for a three-year term. All terms shall officially begin on September 1. At least one member shall be nominated by the ex-students' association of that institution. The institutional head and the Chancellor (or his delegate) shall be ex-officio members with voting privileges. The component institution development board will elect a Chairman and such other officers as are appropriate from among its membership.
- 2.32 The component institution development board shall elect a representative from its membership to the System Development Advisory Council for a three-year term except as specified in paragraph 1.31(2). This representative may serve on the System Development Advisory Council only so long as he is a member of the component institution development board.
- 2.4 General Policies of the Component Institution Development Boards:
- 2.41 A component institution development board shall seek to enlist the aid of numerous friends of the institution in fund-development efforts, and may establish such committees and other groups as seem desirable in carrying out its program.
- 2.42 A component institution development board shall serve the individual component institution of the System to coordinate and assist in the plans and programs of that component institution with consideration of development interests of all component institutions in the System.
- 2.43 A component institution development board will work closely with the internal foundations of the component institutions. No internal foundations shall be established or continued in existence except with the approval of the Chancellor and the Board of Regents. The institutional head of each component institution shall be responsible for stimulating, guiding, and assisting the component institution development board and internal foundations of the component institution he heads and he may require suitable annual reports from each. All such activities shall be coordinated through the office of the institutional head and the director of the component institution development board.

- 2.44 From time to time, special campaigns for specific objectives may be conducted, with or without the assistance of private fund-raising counsel. Such campaigns may originate upon recommendation by the Board of Regents, the System Development Advisory Council, the Chancellor, the institutional head with the concurrence of the Chancellor, or the component institution development board. No such campaign shall be authorized or undertaken, however, until the Chancellor has advised the Board of Regents of his approval or disapproval and the campaign has been approved by the Board of Regents.
- 2.45 Notwithstanding the provisions hereof conferring authority upon and placing responsibility with the Chancellor for fund development and fund raising, it is understood that ex-students' associations of the System component institutions may engage in fund raising for their own support through dues and payments for memberships, both annual and life. However, it is expected that no such ex-students' association will sponsor or participate in any other organized fund-raising effort without first consulting and advising with the institutional head and the Chancellor, and then receiving the approval of the Board of Regents.
- 2.46 The component institution development boards shall make recommendations to the System Development Advisory Council regarding the appropriate recognition of donors.

2.5 Executive Office of a Component Institution Development Board:

- 2.51 Within the office of the institutional head there may be appointed by the institutional head, with the approval of the Chancellor, an executive director of the component institution development board. He is to be charged solely with fund-development activity, and subject to supervision, evaluation, and termination of employment by the institutional head.
- 2.52 The executive director of the component institution development board shall have such staff and such operating funds as shall be determined from time to time by budgets recommended by the institutional head, endorsed by the Chancellor, and adopted by the Board of Regents. Duties of staff members shall be established by the executive director.

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

Sec 3 Foundations -- The following policies shall govern the creation and administration of foundations:

3.1 Internal Foundations:

- 3.11 The establishment of internal foundations shall be limited to teaching and research divisions of the component institutions of the System. This is not in any sense to be construed as

excluding nonteaching and nonresearch divisions from seeking support from private sources through the component institution development boards as the authorized agencies for correlating all fund-raising activities.

3. 12 The establishment of foundations for other than component institutions, colleges, or schools shall be limited to divisions and departments with respect to which it can be clearly demonstrated that there exists, actually or potentially, the support of a strong business or professional group, the activities of which will not be in substantial conflict with the foundation which represents the school or college of which the division or department is a part. It is believed that divisions and departments which cannot meet these tests may effectively work as separate groups within the framework of the foundation which represents this school or college. The provisions now existing for the designation of special funds to be used for specific activities should continue within the framework of the various foundations. This opportunity to earmark funds obtained by specific groups should help to avoid stifling the interest and initiative of these groups.
3. 13 Any foundation in addition to those now existing shall be authorized by the Board of Regents only after approval by the Chancellor.
3. 14 The work of all internal foundations shall be considered a part of the work of the component institution development boards. It is the duty of the System Development Advisory Council and the component institution development boards to cooperate with such foundations at all times and to stimulate their efforts by counsel, by personal contacts and by providing promotional materials. Further, the foundations shall report periodically to the Chancellor through the component institution development boards. Every effort should be made to permit a free range of initiative within the foundations, but activities should be in conformity with policies of the Board of Regents so as to permit maximum overall achievements in fund raising throughout the System.
3. 15 There should be periodic reviews of the activities of each foundation to determine its effectiveness; and, if it is unproductive over a reasonable length of time, provisions should be made for its dissolution.
3. 16 There shall be established, wherever practical, advisory councils to the foundations. The executive director of each component institution development board shall be an ex-officio nonvoting member of each such advisory council.
3. 17 The presently authorized internal foundations are:

<u>Foundation</u>	<u>Date Established</u>
<u>The University of Texas at Austin</u>	
John Charles Townes Foundation (School of Law)	1941
Pharmaceutical Foundation of the the College of Pharmacy	1949
Fine Arts Foundation of the College of Fine Arts	1950
Architectural Foundation of the School of Architecture	1952

Genetics Foundation of the Zoology Department	1952
College of Business Administration Foundation	1953
The Psychological Research Foundation	1953
Geology Foundation	1953
Arts and Sciences Foundation	1955
Engineering Foundation	1955
College of Education Foundation*	1976
School of Social Work Foundation	1966
The Lyndon Baines Johnson School of Public Affairs Foundation, Inc. (Chartered)	1968
Communication Foundation of the School of Communication	1969
Graduate School of Library Science Foundation	1969
<u>University Cancer Foundation</u>	1951
<u>The University of Texas at Arlington Foundation</u>	1967
<u>The University of Texas Medical Branch at Galveston Foundation</u>	1967
<u>The University of Texas at El Paso Foundation</u>	1967
<u>The University of Texas Medical School at Houston</u>	
Houston Medical Foundation (Chartered)	1970
<u>The University of Texas System</u>	
Hogg Foundation for Mental Health	1940
The University of Texas System Foundation, Inc. (Chartered)	1967
The University of Texas Nursing School (System-wide) Foundation	1968

*Formerly Teacher Education Foundation - 1956

3.2 External Foundations

- 3.21** No component institution or department or school of a component institution of the System may accept or receive gifts or bequests from any external foundation (whether or not an authorized external foundation) until such gifts or bequests have been accepted and approved by the Board of Regents.
- 3.22** Wherever such external foundations now exist, the Board of Regents shall establish a working relationship with the officials of that foundation and coordinate their activities in such a way as to assure their conformity with the general policies of the Board of Regents.
- 3.23** The only presently authorized external foundations are:

Foundation

Law School Foundation

Texas Chest Foundation

CHAPTER VIII

MISCELLANEOUS

- Sec. 1** Naming of Buildings and Other Facilities. -- Buildings and other facilities (including laboratories and clinics) of the System and its component institutions shall not be named in honor of any person until such person shall have been dead at least five years and a nomination accompanied by reasons shall have been received by the Board from the institutional faculty; provided, however, that the Board may act without receiving a nomination from the institutional faculty when unusual circumstances justify such action and particularly when a substantial donation has been made toward the construction of the building or facility to be named.
- Sec. 2** Flags at Half Mast. -- Flags at any of the component institutions of the System shall be placed at half mast on the death of a Regent, the death of a member of the teaching or nonteaching staff, the death of a student in residence at the institution, or at such other times as may be deemed appropriate by the institutional head.
- Sec. 3** Medical and Hospital Services. -- No medical or hospital services shall be provided by any component institution of the System to any person without compensation or reimbursement to the System, except that in the case of hospitals operated by the System, which under the law are open to the general public, free or partly free medical and hospital services may be rendered to persons who are indigent and who are able to offer proof that they are not financially able to pay either all or any part of their hospital or medical expense.
- Sec. 4** Institutions and Entities Composing the System. -- The System is composed of the component institutions and entities set forth below in paragraphs 4.1 et. seq.; and such other component institutions and activities as may from time to time be assigned to the governance, control, jurisdiction, or management of the

Board of the System. To insure uniformity and consistence of usage throughout the System, the component institutions and their respective entities shall be listed in the following order and the following titles shall be used:

	<u>Full Title</u>	<u>Short Title</u>
4.1	The University of Texas System Board of Regents, including The University of Texas Permanent University Fund	Board of Regents Permanent University Fund
4.2	The University of Texas System Administration	System Administration
4.3	The University of Texas at Arlington	U. T. Arlington
4.31	The University of Texas at Arlington School of Architecture and Environmental Design	
4.32	The University of Texas at Arlington College of Business	
4.33	The University of Texas at Arlington College of Engineering	
4.34	The University of Texas at Arlington College of Liberal Arts	
4.35	The University of Texas at Arlington School of Nursing	
4.36	The University of Texas at Arlington College of Science	
4.37	The University of Texas at Arlington School of Social Work	
4.38	The University of Texas at Arlington Graduate School	
4.39	The University of Texas at Arlington Institute of Urban Studies	Institute of Urban Studies
4.4	The University of Texas at Austin	U. T. Austin
4.41	The University of Texas at Austin School of Architecture	
4.42	The University of Texas at Austin College of Humanities	
4.43	The University of Texas at Austin College of Social and Behavioral Sciences	
4.44	The University of Texas at Austin College of Natural Sciences	
4.45	The University of Texas at Austin Division of General and Comparative Studies	
4.46	The University of Texas at Austin College of Business Administration	
4.47	The University of Texas at Austin School of Communication	
4.48	The University of Texas at Austin College of Education	
4.49	The University of Texas at Austin College of Fine Arts	

- 4.4(10) The University of Texas at Austin
School of Law
 - 4.4(11) The University of Texas at Austin
Graduate School of Library
Science
 - 4.4(12) The University of Texas at Austin
School of Nursing
 - 4.4(13) The University of Texas at Austin
College of Pharmacy
 - 4.4(14) The University of Texas at Austin
School of Social Work
 - 4.4(15) The University of Texas at Austin
Graduate School
 - 4.4(16) The University of Texas at Austin
Marine Science Institute
 - 4.4(17) The University of Texas at Austin
McDonald Observatory at
Mount Locke
- Marine Science
Institute
McDonald Observatory
- 4.5 The University of Texas at Dallas
 - 4.51 The University of Texas at Dallas
School of Arts and Humanities
 - 4.52 The University of Texas at Dallas
School of General Studies
 - 4.53 The University of Texas at Dallas
School of Human Development
 - 4.54 The University of Texas at Dallas
School of Management and
Administration
 - 4.55 The University of Texas at Dallas
School of Natural Sciences and
Mathematics
 - 4.56 The University of Texas at Dallas
School of Social Sciences
- U. T. Dallas
- 4.6 The University of Texas at El Paso
 - 4.61 The University of Texas at El Paso
College of Business Administration
 - 4.62 The University of Texas at El Paso
College of Education
 - 4.63 The University of Texas at El Paso
College of Engineering
 - 4.64 The University of Texas at El Paso
College of Liberal Arts
 - 4.65 The University of Texas at El Paso
College of Nursing
 - 4.66 The University of Texas at El Paso
College of Science
 - 4.67 The University of Texas at El Paso
Graduate School
- U. T. El Paso
- 4.7 The University of Texas of the Permian
Basin
 - 4.71 The University of Texas of the
Permian Basin College of
Arts and Education
- U. T. Permian Basin

4.72	The University of Texas of the Permian Basin College of Management	
4.73	The University of Texas of the Permian Basin College of Science and Engineering	
4.8	The University of Texas at San Antonio	U. T. San Antonio
4.81	The University of Texas at San Antonio College of Business	
4.82	The University of Texas at San Antonio College of Fine and Applied Arts	
4.83	The University of Texas at San Antonio College of Humanities and Social Sciences	
4.84	The University of Texas at San Antonio College of Multidisciplinary Studies	
4.85	The University of Texas at San Antonio College of Sciences and Mathematics	
4.86	The University of Texas at San Antonio Institute of Texan Cultures	Texan Cultures Institute
4.9	The University of Texas Health Science Center at Dallas	Dallas Health Science Center
4.91	The University of Texas Southwestern Medical School at Dallas	Dallas Southwestern Medical School
4.92	The University of Texas Graduate School of Biomedical Sciences at Dallas	Dallas G.S.B.S.
4.93	The University of Texas School of Allied Health Sciences at Dallas	Dallas Allied Health Sciences School
4.(10)	The University of Texas Medical Branch at Galveston	Galveston Medical Branch
4.(10)1	The University of Texas Medical School at Galveston	Galveston Medical School
4.(10)2	The University of Texas Graduate School of Biomedical Sciences at Galveston	Galveston G.S.B.S.
4.(10)3	The University of Texas School of Allied Health Sciences at Galveston	Galveston Allied Health Sciences School
4.(10)4	The University of Texas Marine Biomedical Institute at Galveston	Marine Biomedical Institute
4.(10)5	The University of Texas Hospitals at Galveston	Galveston Hospitals
4.(10)6	The University of Texas School of Nursing at Galveston	
4.(11)	The University of Texas Health Science Center at Houston	Houston Health Science Center
4.(11)1	The University of Texas Medical School at Houston	Houston Medical School
4.(11)2	The University of Texas Dental Branch at Houston	Houston Dental School

4.(11)3	The University of Texas Graduate School of Biomedical Sciences at Houston	Houston G. S. B. S.
4.(11)4	The University of Texas School of Allied Health Sciences at Houston	Houston Allied Health Sciences School
4.(11)5	The University of Texas School of Public Health at Houston	Public Health School
4.(11)6	The University of Texas Speech and Hearing Institute at Houston	Speech and Hearing Institute
4.(11)7	The University of Texas School of Nursing at Houston	
4.(12)	The University of Texas Health Science Center at San Antonio	San Antonio Health Science Center
4.(12)1	The University of Texas Medical School at San Antonio	San Antonio Medical School
4.(12)2	The University of Texas Dental School at San Antonio	San Antonio Dental School
4.(12)3	The University of Texas Graduate School of Biomedical Sciences at San Antonio	San Antonio G. S. B. S.
4.(12)4	The University of Texas School of Allied Health Sciences at San Antonio	San Antonio Allied Health Sciences School
4.(12)5	The University of Texas School of Nursing at San Antonio	
4.(13)	The University of Texas System Cancer Center	University Cancer Center
4.(13)1	The University of Texas M. D. Anderson Hospital and Tumor Institute at Houston	M. D. Anderson
4.(13)2	The University of Texas Environmental Science Park at Smithville	Environmental Science Park
4.(14)	The University of Texas Health Center at Tyler	Tyler Health Center

CHAPTER IX

ENACTMENT AND AMENDMENT

Sec. 1 Repeal of Existing Rules in Conflict Herewith.

1.1 All rules, regulations, orders, and resolutions heretofore enacted by the Board which are in conflict with these Regents' Rules and Regulations are hereby repealed.

Sec. 2 Format for Rules.

2.1 The Regents' Rules and Regulations for the government of the System apply to and govern the Board and all employees and agencies directly under its control, the Chancellor, the President of the System, the System Administration of The University of Texas System, and the component institutions comprising The University of Texas System.

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

Sec. 3 Official Copies.

- 3.1 The official copies of the Regents' Rules and Regulations and the Handbook of Operating Procedures for each component institution of the System shall be maintained on file in the Office of the Board.
- 3.2 Copies of these Regents' Rules and Regulations and of the Handbooks of Operating Procedures shall be furnished to members of the Board and such other persons and offices as the Board shall designate.

Sec. 4 Amendment of Rules and Regulations. --The rules and regulations contained herein may be added to or amended by a majority of all of the members of the Board at any regular meeting or at any special meeting called for that purpose.

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

Sec. 6 Endowment of Academic Positions.

- 6.1 No endowment will be established or announced and no appointment made to an endowed academic position without prior approval by the Board.
- 6.2 No negotiations or commitments implying the establishment of the endowment of an academic position will be undertaken by any faculty member or officer of the component institution until the proposal has been formally approved by the chief administrative officer.
- 6.3 Recommendations to the Board concerning acceptance of gifts for endowment of academic positions will be made through the President of the System in the dockets of the several institutions or System Administration or in special reports by the President of the System to the Board. Before the final action of the Board, such recommendations will be referred to the Land and Investment Committee as to fiscal arrangements and to the Academic and Developmental Affairs Committee as to policy.
- 6.4 The four categories of endowed and named academic positions are: Chairs, Professorships, Visiting Professorships, and Lectureships, and requirements for same are:
- 6.41 Endowed Chairs. The endowed chair will be established with a minimum of \$500,000 or the equivalent in annual contributions arranged according to agreements recommended by the President of the System and approved by the Board. Grants of \$400,000 already under contractual agreement for the future, bequests included in wills made prior to January 25, 1975 and other prior bona fide arrangements for \$400,000 endowment of chairs are excepted in this regulation. The component institution will pay from its funds such amounts as are necessary to set the salary of the occupant at a level

- commensurate with his or her record, experience, and position in the faculty. The endowment will be used both for salary supplementation and for other professional support of the holder of the chair, including assistance in his research.
- 6.42 Endowed Professorships. The endowed professorship will be established with a minimum of \$100,000 or the equivalent in annual contributions arranged according to agreements recommended by the President of the System and approved by the Board. Income from endowment will be used chiefly to supplement the salary of the occupant of the professorship but will be available for other professional support, including assistance in his research.
- 6.43 Visiting Professorships. The endowment of the visiting professorship specifies that such positions must be funded with a minimum endowment of \$50,000. Such appointments will be given to distinguished scholars who are in temporary residence at the component while participating in planned academic programs.
- 6.44 Endowed Lectureships. The endowed lectureship will be established with a minimum of \$20,000 and within a range of \$20,000 and \$100,000, with the provision that all such lectureships for which bona fide arrangements are in negotiation are excluded from this regulation. The lectureship will be considered a temporary appointment, usually given to a visiting scholar during temporary residence at the institution where the lectureship is established. Other emoluments for such visiting lectureships may be provided the visiting scholar through regular budgetary procedures, but no visiting lecturer will be remunerated from two or more lectureship endowments.

Sec. 7 Acceptance of Small Gifts. --The Board welcomes contributions, both large and small, in aid of the educational purposes of its various component institutions. Because of the high, and mounting, costs involved in the continued maintenance and servicing of individual accounts, practicality requires the establishment of policies with respect to the acceptance of gifts made for the establishment of permanent endowment funds. Accordingly, the following guidelines are hereby adopted with respect to the establishment hereafter of permanent endowment funds:

- 7.1 No gift of less than \$10,000 will be accepted as a separate permanent endowment.
- 7.2 Any limitation shall not be applied to gifts already received, but all gifts accepted after October 20, 1972, are subject to the ensuing provisions:
- 7.21 Should the Board determine at any time that the fund is not of sufficient size, and has no foreseeable prospects of growing to sufficient size to justify the continuing costs of maintenance of such fund as a separate fund, then in the Board's discretion the principal of such fund may be expended for or otherwise devoted to the accomplishment, as near as may be possible, of the purposes for which the fund was established.
- 7.22 A permanent register of Memorial Gifts shall be maintained at each component institution to record gifts, or where the gift or donation is not specifically directed to a component, the register shall be maintained by System Administration.