

Amendments to Sections 02.03 & 02.04, *Regents' Rules*, regarding Presidents of Texas Tech system institutions

The Regents Rules Review Committee (Long – chair; Anders; Francis; Scovell) recommends for adoption by the full Board the following amendments regarding the presidents of component institutions of the Texas Tech University System.

Note – As used throughout the *Regents' Rules*, the following terms are defined in Chapter 00, *Regents' Rules*, to mean:

- 00.01.2 "board" means the Board of Regents of the Texas Tech University System.
- 00.01.6 "TTU system" or "TTUS" means all component units of the Texas Tech University System, including the TTU system administration and the component institutions.
- 00.01.11 "component institution(s)" means TTU, TTUHSC, ASU, and/or any other institution that may be added to the Texas Tech University System.

1. Amend Sections 02.03 & 02.04, *Regents' Rules*, as follows:

02.03 **Certain administrative appointments**

02.03.1 Board appointments.

a. Chancellor. In accordance with Section 01.04, *Regents' Rules*, the board shall select a chancellor.

b. Presidents of component institutions.

(1) Appointment; dismissal or reassignment. Each president of a component institution shall be appointed and may be dismissed or reassigned (for good cause or without cause) by the affirmative vote of a majority of the board members in office at that time. Prior to any vote on appointment, dismissal, or reassignment of a component institution president, the chancellor shall provide a recommendation for the board's consideration.

- (2) Salary; employment contract. The salary of each president of a component institution and any supplement thereto and any emoluments or other benefits to the office, together with any related employment contract and any modification or extension of such employment contract, shall be approved by the affirmative vote of a majority of the board members in office at that time. Prior to any vote on the salary of or an employment contract for a component president, the chancellor shall provide a recommendation for the board's consideration.
- (3) Reporting. Each president of a component institution shall report to and be responsible to the chancellor; but the component institution presidents shall have access to the board, and the board shall have access to the component institution presidents.

02.03.2 [02.03.1] Chancellor's appointments.

- a. The chief financial officer, vice chancellors and other TTU system administration officers shall be appointed by the chancellor with prior notification to the board.
 - b. The vice chancellor and general counsel of the TTU system (the "general counsel") shall be appointed by the chancellor with prior notification to the board. The general counsel shall provide legal representation and counsel to the TTU system. The general counsel shall report directly to the chancellor and have access to the board, and the board shall have access to the general counsel. With the prior approval of the board, the chancellor may dismiss or reassign the general counsel without cause.
 - c. ~~{Presidents.~~
- ~~(1) Appointment.~~ The presidents of the TTU system shall be appointed by the chancellor with the prior approval of the

~~board. If the appointment of an interim or acting president must be made to fill a vacancy and it is not feasible to delay the appointment until the board is able to grant its prior approval at a regular or special called board meeting, the chair may authorize the chancellor to appoint an interim or acting president, subject to prior notice to the board and ratification by the board at the earlier of the next regular meeting or a special meeting called at the earliest possible date.~~

~~(2) Reporting. The presidents shall serve under direction from the chancellor.~~

~~(3) Dismissal or reassignment. With the prior approval of the board, the chancellor may dismiss or reassign a president for good cause or without cause.~~

~~d.] Any multi-year employment contract, employment contract modification, or contract extension related to the officers addressed in Subsections a. [r] and b., [~~and e.~~] herein, shall be approved by the chancellor with prior review and advice by the board.~~

02.03.3 [~~02.03.2~~] Presidents' appointments. The provosts, vice presidents, vice provosts, deans of schools and colleges, director of intercollegiate athletics, and head coaches of intercollegiate athletics programs shall be appointed by the president with prior approval of the chancellor and prior notification to the board. Any multi-year employment contract, employment contract modification, or contract extension related to persons filling such positions shall be approved by the president with prior approval of the chancellor and prior notification to the board.

02.03.4 [~~02.03.3~~] Performance evaluations.

- a. Chancellor. The performance of the chancellor will be reviewed annually by the board.
- b. Presidents. Annually, the board shall evaluate each president of a component institution and shall assist the office of the component institution president in the achievement of performance goals. Prior to the evaluation being finalized by the board, the chancellor will present to and discuss with the board the chancellor's recommendations for the evaluation of the performance of the

~~component institution presidents. [Subsequent to the chancellor's review with the board, the chancellor's evaluation of a president may be modified if such action is deemed appropriate.]~~

- c. TTU system administration officers. Annually, the chancellor will review with the board the chancellor's evaluations of the performance of the chief financial officer, vice chancellor and general counsel, vice chancellors, and other TTU system administration officers.

02.03.5 [~~02.03.4~~] Chancellor's salary. The salary of the chancellor, any supplement thereto, and any emoluments or other benefits to the office shall be determined by the board.

~~[02.03.5 Salary of presidents. The salary of the presidents, any supplement thereto, and any emoluments or other benefits to the office shall be determined by the chancellor, with prior review and advice by the board.]~~

02.03.6 TTU system administration officer salaries. The salaries of the chief financial officer, vice chancellor and general counsel, vice chancellors, and other TTU system administration officers shall be set by the chancellor with prior notice to the board.

02.03.7 Time of salary actions. Salary actions related to the chancellor, chief financial officer, vice chancellor and general counsel, vice chancellors, other TTU system administration officers, and the presidents shall take place at the same meeting as, and in conjunction with, the performance reviews outlined in Section [~~02.03.3~~] 02.03.4, *Regents' Rules*.

02.03.8 Component institution officer salaries. The salaries of the provosts, all vice presidents, vice provosts, and deans of colleges and schools of the component institutions shall be set by the presidents with prior approval of the chancellor and prior notification to the board.

02.03.9 Certain administrator contracts. The terms, conditions, and stipulations of any employment agreement or contract between the TTU system and the chancellor or any other principal officer of the TTU system thereof shall be in writing and duly recorded in the minutes of the board.

02.04 Component institution presidents

- 02.04.1 Chief executive officers. The president of each component institution of the TTU system is the chief executive officer of that institution and reports to and is responsible to the chancellor; but the component institution president shall have access to the board, and the board shall have access to the component institution president. The president serves without fixed term, [~~subject to the pleasure of the chancellor,~~] subject to Section [02.03.1.e.] 02.03.1.b, Regents' Rules, and any employment contract that may be entered into between the president and the TTU system in accordance with state law.
- 02.04.2 Presidents' authority. Within the policies and regulations of the board [~~and under the supervision and direction of the chancellor,~~] – which provide that the component institution president reports to and is responsible to the chancellor, with the component institution president having access to the board and the board having access to the chancellor ~~component institution president–~~ the president has general authority and responsibility for the administration of the component institution. Specifically, the president is expected, with the appropriate participation of the staff, to:
- a. develop, administer, and coordinate all operations and programs of the component institution;
 - b. develop and administer policies relating to students, and where applicable, to the proper management of services to patients;
 - c. ensure that all facets of the component institution provide a customer service orientation to its internal and external constituencies;
 - d. ensure that the component institution provides a high quality of educational curriculum and faculty for the benefit of its students;
 - e. recommend operating budgets and supervise expenditures under approved budgets;

- f. nominate all members of the faculty and staff under the jurisdiction of the president, and make recommendations to the board for the award of tenure for faculty members;
- g. maintain efficient personnel programs;
- h. ensure the proper administration of the financial affairs of the component institution, including the accounting, financial oversight, and financial report preparation functions required;
- i. prepare and submit to the chancellor the operating policies, procedures, rules, and regulations for the governance of the component institution, provided that any policy, procedure, rule, or regulation in any such institutional operating manuals that is in conflict with any policy, procedure, rule, or regulation in the *Regents' Rules*, is null and void and has no effect;
- j. assume initiative in developing long-range and strategic plans for the program of the component institution, and, in the case of TTU, develop a plan to cause TTU to be numbered among the top public research institutions in the country;
- k. work actively to ensure that the component institution acquires the necessary public and private resources for successful achievement of its goals and objectives; engage in fundraising activities that increase the institution's endowment and address the needs of all the institution's schools and colleges in accordance with policies and procedures established by the chancellor and the *Regents' Rules*;
- l. in the case of component institutions with intercollegiate athletic programs, provide for the proper administration and oversight of the operations of the Department of Athletics, and ensure that the university's intercollegiate athletic programs and activities adhere to the highest standards of integrity and the rules and requirements of the National Collegiate Athletic Association and the athletic conference of which the institution is a member;
- m. develop and implement plans and policies to ensure that the component institution remains in compliance with any accreditation requirements appropriate to the institution or its programs, including, for the health components and those academic components with student health services, the accreditation of hospitals, clinics, and patient-care facilities; and

- n. carry out all other duties and responsibilities assigned to the president by the board or the chancellor.

- 2. Authorize the Secretary of the Board to make any necessary technical corrections (including conforming changes for section citations throughout the *Regents' Rules*) that are required to accommodate the above-referenced amendments into the *Regents' Rules*.**