

THE TEXAS STATE UNIVERSITY SYSTEM



RULES AND REGULATIONS

LAMAR UNIVERSITY
LAMAR INSTITUTE OF TECHNOLOGY
LAMAR STATE COLLEGE - ORANGE
LAMAR STATE COLLEGE - PORT ARTHUR
SAM HOUSTON STATE UNIVERSITY
SUL ROSS STATE UNIVERSITY
SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE
TEXAS STATE UNIVERSITY

**Adopted September 1, 1980
Amended August 17, 2017,
November 16, 2017, and February 16, 2018**

CHAPTER IV. PRESIDENTS OF THE COMPONENTS

1. APPOINTMENT.

The Chancellor shall recommend to the Board a candidate for the presidency of each Component. The Board, by majority vote, at a lawfully-called meeting, shall appoint Component presidents. The President shall not have tenure as President but may hold tenure as a member of the faculty of the Component.

2. AUTHORITY, DUTIES AND RESPONSIBILITIES.

2.1 Authority. The President shall be answerable to the Chancellor and shall have discretionary powers broad enough effectively to administer the Component within the policies and guidelines as set forth by the Chancellor and Board of Regents.

2.11 House. As a condition of employment, the President of each System Component is required to reside in lodging furnished to him/her as the official residence of the President for the convenience of the Component (if such lodging has been provided); to maintain an office therein with telephone service from the President's office in the Component's administration building; and to use such properties as part of the official performance of his/her duties by holding official functions and other matters relative to the position occupied.

2.12 Automobiles. The Components of the Texas State University System are authorized to lease or purchase automobiles for use by the Presidents and Chancellor of the System in carrying out the duties and responsibilities of their respective office. The purchase price, lease fees and any insurance and maintenance cost shall be paid from non-E&G funds.

2.2 Delegation of Authority. The President of each Component has the following duties and responsibilities:

2.21 Developing and maintaining efficiency and excellence within the component, including maintenance of appropriate accreditations.

2.22 Making recommendations to the Chancellor and the Board on Component matters that require Board approval.

2.23 Carrying out all Chancellor and Board orders affecting the Component.

2.24 Interpreting System policies to the faculty and staff; representing and interpreting the Component's programs, needs and interests to the Board and the general public.

- 2.25 Recommending appropriate operating budgets and supervising expenditures under approved budgets.
- 2.26 Nominating to the Chancellor and Board the appointment, reappointment, promotion, retention, or dismissal of all members of the faculty and administrative officers as defined in *Chapter V, subparagraph 1.123*.
- 2.27 Developing and maintaining efficient personnel programs for all employees.
- 2.28 Managing efficiently Component business affairs and physical property; recommending additions and alterations to the physical plant; and developing long range plans for all component programs and physical facilities.
- 2.29 Serving as presiding officer at official meetings of Component faculty and staff and as an ex officio member of each college or school faculty.
- 2.2(10) Appointing campus committees, councils, and teams, and appointing or establishing procedures for the appointment of faculty, and staff. The authority of these bodies is limited to reviewing, offering suggestions, and making recommendations on matters related to their purpose. They will submit their reviews, recommendations and suggestions through channels to the President, who has responsibility and authority for making decisions, subject to the final authority of the Chancellor and the Board of Regents.
- 2.2(11) Causing to be prepared and submitted to the System Administration for review the faculty, staff, and student handbooks for the governance of the Component.
- 2.2(12) Leading private fund development support for the Component in accordance with policies and procedures established in these *Rules and Regulations*.
- 2.2(13) Administering all Component contracts, agreements, or purchases as delegated under the System *Rules and Regulations*.
- 2.2(14) Power to Suspend. Suspending, without prior notice or hearing, and immediately removing from the campus, any employee or student whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the component, notifying, as soon as possible, the Chancellor and the Vice Chancellor and General Counsel of such action. In such cases, the president will set a hearing before the appropriate administrator or committee on the employee's or student's case as soon thereafter as is practicable unless otherwise waived by the employee or student.

- 2.2(15) Campus Police. Employing campus peace officers in conformity with the Texas Commission on Law Enforcement Officers and Standards and *Texas Education Code, Section 51.203* and recommending their approval to the Chancellor and to the Board.
- 2.2(16) Motor Vehicles. Promulgating rules governing operation and use of motor vehicles on component property including vehicle registration fees, fines, and penalties.
- 2.2(17) Establishing Fees. Establishing the rate of other incidental fees or charges assessed under the authority of *Texas Education Code, Chapter 54*, including, but not limited to, fees or charges for library fines, microfilming, thesis or doctoral manuscript reproduction or filing, application processing, laboratory breakage, bad checks, schedule changes, late registration, student publication, special courses or programs which are fully paid by privately funded scholarships, and installment payments within the limits set by the *Texas Education Code* and these *Rules and Regulations*.
- 2.2(18) Grants and Contracts. Accepting grants from and contracts with federal, state, and other government agencies and private foundations, advancing funds as necessary to finance such grants and contracts in which the Component will be reimbursed.
- 2.2(19) Scholarships. Expending any line-item appropriations for "Scholarships" as authorized in the *General Appropriations Act*.
- 2.2(20) Highest Ranking High School Graduate Scholarships. Issuing scholarships each year to the highest ranking graduate of each accredited high school of this state, exempting the graduates from the payment of tuition during both semesters of the first regular session immediately following their graduation, in accordance with *Texas Education Code, Section 54.301*. This exemption is granted for any one of the first four regular sessions following the individual's graduation from high school when in the opinion of the Component's President, the circumstances of an individual case, including military service, merit the action.
- 2.2(21) General Property Deposit Scholarship. Issuing new and continuing scholarships from the General Property Deposit (GPD) forfeiture scholarships account per *Texas Education Code, Section 54.5021*. Future annual forfeiture of GPD may be directed to either the GPD forfeiture scholarship account, the GPD forfeiture endowment account, or a combination of the two, as allowed by statute. The President or a designee, is authorized to transfer funds annually from the endowment account to the scholarship account for the awards prescribed in the statute.
- 2.2(22) Senior Citizens Exemption. Exempting persons age 65 years and over from the payment of tuition for up to six hours per semester or summer term, space permitting, per *Texas Education Code, Section 54.365*.

- 2.2(23) Distance Learning Fee Exemption. Waiving certain fees for students enrolled only in distance learning courses or other off-campus courses of each Component, per *Texas Education Code, Section 54.218*.
- 2.2(24) Disabled Peace Officer Exemption. Exempting disabled peace officers from tuition and required fees for undergraduate courses for which space is available, provided the student meets all criteria specified in *Texas Education Code, Section 54.352*.
- 2.2(25) Exemptions from Tuition. Exempting qualified students from the payment of tuition and/or required fees as may be authorized by *Texas Education Code, Chapter 54*.
- 2.2(26) Component Travel Policy. Establishing a travel policy for each Component's non-Education and general (E&G) funds to assure that travel expenditures are made in a manner that is uniformly and consistently applied across all non E&G funds.

3. BENEFITS.

- 3.1 Housing. The President of each System Component is required to reside in lodging furnished to him/her as the official residence of the President (if such lodging is available); to maintain an office therein with telephone service from the President's office in the Component's administration building; and to use such property as part of the official performance of his/her duties by holding official functions and other matters relative to the position occupied.
- 3.2 3.2 Automobiles. The System and its Components are authorized to lease or purchase automobiles or otherwise provide automobile allowance for use by the Presidents and Chancellor in carrying out the duties and responsibilities of their respective offices. The lease fees and any insurance and maintenance costs shall be paid from designated or restricted gift funds accepted for such purpose and/or auxiliary enterprise generated funds. Lease of other vehicles shall not be allowed without prior approval of the Board.

4. VACANCIES.

The Chancellor may fill, by interim appointment, any vacancy that occurs in the position of President at any Component. The interim President shall serve until the Board approves a new President, pursuant to *Section 1* above.

In emergency situations where it is apparent that the Component President will be unable to perform his/her duties for at least four (4) weeks, the Chancellor after conferring with the Board chair and vice chair may appoint an interim President to serve until the President is able to resume his/her responsibilities. The Component President shall keep on file in the System Administration Office, at

all times, the name of a designated second-in-command to act on his/her behalf when the President is not available.

5. COUNCIL OF PRESIDENTS.

The Chancellor shall convene a council, consisting of Presidents of the System Components, to meet for the beneficial exchange of information that is of common interest to the Components. Conflicts between or among the presidents shall be brought to the Chancellor for resolution and subsequently to the Board of Regents on appeal.

6. SUBMISSIONS FOR BOARD APPROVAL.

6.1 The President of each System Component shall submit to the System Administration in writing items that he or she recommends be considered at a regular Board meeting not less than twenty-one (21) days in advance of the meeting, setting forth, in reasonable detail a) an explanation of each proposed Board order or recommendation; b) the cost and source of the funds involved; c) appropriate supporting enclosures; and d) proposed Board orders, drafted with clarity and brevity to reflect the precise action requested of the Board. Multifarious or dissimilar orders for Board consideration will not be accepted.

6.2 Any proposed order not timely submitted to the Chancellor shall also include written justification for the lack of timeliness as well as the ramifications of non-action by the Board, the merit of the order, and the cost and source of funds involved. The Chancellor shall determine whether or not to submit the same to the Board.

6.3 For curriculum information to be reported to the Board, see *Chapter III, Section 5, Curriculum Procedures*.

7. EVALUATION.

7.1 The Chancellor shall review annually the general performance and effectiveness of each President, presenting to the Board his or her written opinions, advice, and recommendations as to the President's employment, subsequent to which the Board shall meet with the Chancellor and President being evaluated. This evaluation shall take place before a quorum of the full Board of Regents, and in executive session, unless the subject President requests a public evaluation.

7.2 The Presidents of the Components shall periodically evaluate the effectiveness of all administrative officers who report directly to them and establish procedures for the evaluation of the effectiveness of all other administrators.

8. TERMINATION.

The Chancellor may, by interim action, terminate the appointment of a Component President when in his/her judgment the interests of the System or of the Component require termination. The President shall not have a right to a hearing before the Board unless he/she makes a *prima facie* showing that the decision to terminate constitutes violation of a right guaranteed by the laws or Constitution of the State of Texas or of the United States. If the President has tenure at the Component, termination as a member of the tenured faculty shall be only for good cause shown; and, he/she shall be entitled to a tenure revocation hearing as specified in *Chapter V*.