

Chapter 02 -- Administration

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[see last page for list of amendments adopted]

- 02.01 **Chancellor.** The chancellor is responsible for the management and operation of the TTU system administration and component institutions under the direction of the board. The chancellor is the chief executive officer of the TTU system. The chancellor reports to and is responsible to the board. Except as specifically provided otherwise in the *Regents' Rules*, the chancellor has direct responsibility for all aspects of TTU system operations.
- 02.01.1 Appointment. The chancellor shall be elected by the affirmative vote of a majority of the regents in office.
- 02.01.2 Tenure. The chancellor holds office subject to the pleasure of the board and any employment contract that may be entered into between the chancellor and the TTU system in accordance with state law.
- 02.01.3 Primary duties. The chancellor, where specifically delegated by the board, is authorized to exercise the powers and authorities of the board in the governance of the TTU system. The chancellor will act through the appropriate officers of the TTU system regarding the matters delegated to them. The chancellor, however, shall not be precluded from direct participation and communication with any TTU system officers, staff, faculty members, or groups. The major duties of the chancellor include:
- a. advising and counseling with the board with respect to the policies, purposes, and goals of the TTU system; acting as executive agent of the board in implementing its policies and a system of internal controls; representing the TTU system in all other respects as deemed appropriate to carry out such policies, purposes and goals, and interpreting and articulating the TTU system's academic, administrative and developmental policies, programs, needs and concerns to the general public, and to other constituencies at the community, state, regional, and national levels;

- b. preparing a recommendation to the board for a strategic plan with clear, quantifiable (where applicable) expectations for the TTU system, revised periodically, setting forth recommendations for capital expenditures, and the allocation of other financial resources;
- c. working actively at private fundraising to ensure that each component institution has endowments and capital contributions that will number it among the top tier of its peer institutions;
- d. ensuring sound fiscal policies for the TTU system;
- e. directing the management and administration of the TTU system;
- f. presenting to the board appointments for certain officers of the TTU system as provided in Sections 02.03.2 and 02.03.3, *Regents' Rules*;
- g. periodically reviewing the organization of the TTU system administration and the component institutions and reporting to the board recommendations for changes in organization, assignments, and procedures;
- h. preparing and approving appropriate recommendations to the board and its standing committees, including but not limited to a recommendation on all agenda items for board meetings, along with the recommendation of the appropriate administrative officers of the TTU system;
- i. preparing and approving annual operating budgets for the TTU system administration and the component institutions and submitting such recommendations to the board;
- j. preparing and approving biennial legislative submissions to the legislative budget board and to the governor for the TTU system administration and the component institutions for the consideration of the board;

- k. establishing or directing the establishment of excellent relationships with all levels of government;
- l. ensuring that the TTU system is a leader in regional economic development in the communities in which it has a presence;
- m. directing the establishment of excellent community relations not only in those communities where the TTU system has a presence but also throughout the state;
- n. development and implementation of programs and policies that promote ethical behavior and ensure compliance with all applicable policies, laws, and rules governing public higher education in Texas, including research and health care to the extent applicable; and
- o. carrying out such other duties as may be assigned by the board.

02.02 **TTU system administration.** The TTU system administration consists of the chancellor and such vice chancellors and other administrative officers and staff as the chancellor may require to carry out the duties assigned to the TTU system administration by the board. Except to the extent there is a conflict with *Regents' Rules* or with a policy issued by the TTU system, the TTU system administration offices and employees are subject to the provisions of the Texas Tech University Operating Policies and Procedures Manual. Consistent with the provisions of Sections 109.001 and 51.353, *Texas Education Code*, the board assigns the following responsibilities to the TTU system administration under the direction of the chancellor.

- 02.02.1 Activities coordination. Coordinating the activities of component institutions.
- 02.02.2 Plans initiation. Initiating, monitoring, approving, and coordinating short- and long-range planning for the TTU system.
- 02.02.3 Service provision. Leadership and coordination of the following functions and priorities for the entire TTU system:
 - a. equal employment opportunity;
 - b. facilities planning and construction;

- c. legal services for all units of the TTU system;
- d. governmental relations;
- e. institutional advancement, fundraising, and development – with the chancellor’s fundraising role for the TTU system enhancing rather than substituting for the role of the chief executive officer of each TTU system component institution, and with the chancellor and each component chief executive officer furthering the mission of the TTU system and the respective institutions through coordinated fundraising and development activities;
- f. communications and marketing; and
- g. financial services and oversight.

02.02.4 Evaluation. Evaluating each component institution.

02.02.5 Performance goals achievement. Assisting the component institutions in the achievement of performance goals.

02.02.6 Other duties. Performing such other duties as may be delegated or assigned by the chancellor and the board.

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.
 - (4) **Vacancy.** When there is a vacancy in the office of a president, the following procedures shall apply:
 - (a) The board may, at its discretion, appoint, set the charge to, and determine the process to be used by a presidential search committee. Prior to any determination on the use of such a search committee, the chancellor may provide a recommendation for the board's consideration. The members of a presidential search committee shall serve at the pleasure of the board. Notwithstanding the preceding provision, at its discretion, the board also may delegate to the chancellor the authority to appoint, set the charge to, and determine the process to be used by a presidential search committee.
 - (b) A presidential search committee shall submit to the board, with a copy to the chancellor, the candidates recommended by the search committee.

- (c) The board, with a recommendation from the chancellor, shall determine which candidates, if any, will be interviewed by the board and the chancellor prior to the board naming a finalist. If none of the candidates submitted by the search committee is satisfactory to the board, the board may either name a new search committee or proceed to select a finalist under such other procedures as the board may deem proper and appropriate, at its sole discretion. The board shall not be limited to consider only candidates previously considered by the search committee.
- (d) The board's selection of a president shall be made in accordance with Section 02.03.1.b(1), herein.

02.03.2 Chancellor's appointments.

- a. The vice chancellor and chief financial officer, vice chancellors and other TTU system administration officers shall be appointed by the chancellor with prior notification to the board. The board shall be notified prior to the chancellor's termination or reassignment of such officers.
- b. Vice chancellor and general counsel.
 - (1) Appointment; reporting; termination or reassignment. 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 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.
 - (2) Duties and responsibilities. The general counsel shall represent the TTU system administration and all component institutions in all legal matters and shall be responsible for providing all legal services, including the conduct and resolution of litigation, the prosecution and settlement of all claims, and the legal review of all significant transactions,

in accordance with applicable state law and the policies of the TTU system. With the approval of the Attorney General of the State of Texas, the general counsel shall retain and manage all outside counsel performing legal services for the TTU system, and shall serve as liaison to the Office of the Attorney General.

(3) Confidentiality when acting as counsel for the board. The board, and individual members of the board, when seeking legal services or advice of the general counsel, act as a “representative of the client” pursuant to the Texas Rules of Ethics, and in such situations, are entitled to the same privileges and confidentialities as are provided by such rules.

c. Any employment contract, employment contract modification, or contract extension related to the officers addressed in Subsections a. and b., herein, shall be approved by the chancellor unless the approval of the board is required by Section 07.12.3.e, *Regents’ Rules*.

02.03.3 Presidents' appointments.

a. The appointment, termination or reassignment of provosts, vice presidents, vice provosts, deans of schools and colleges, director of intercollegiate athletics, and head coaches of intercollegiate athletics programs shall be determined by the president. Prior to the president making a determination of the individual the president intends to select for such a position or of the president’s intention to terminate or reassign an individual in such a position, the president shall have the input of the chancellor regarding the candidate(s) under consideration or the intention to terminate or reassign an individual in such a position, with the goal of ensuring that the action furthers the mission of the TTU system and the component institution. Before any announcement is made regarding the appointment to or the termination or reassignment of an individual in such a position, the president shall provide prior notification to the chancellor and the board.

- b. Any employment contract, employment contract modification, or contract extension related to persons filling such positions shall be approved by the president unless the approval of the board is required by Section 07.12.3.e, *Regents' Rules*. If Board approval is not required by Section 07.12.3.e, the president shall have the input of the chancellor regarding the provisions of the contract that are under consideration before a determination is made on the president's approval of the contract, with the goal of ensuring that the action furthers the mission of the TTU system and the component institution.

02.03.4 Performance evaluations.

- a. Chancellor. The performance of the chancellor will be reviewed annually by the board.
- b. Presidents.
 - (1) Annually, and prior to an evaluation being shared with a president, the chancellor shall present to and discuss with the board the chancellor's evaluation of the performance of each component institution president.
 - (2) After the chancellor and the board have agreed upon the annual evaluation of the president's performance, the chancellor shall share the evaluation with the president.
- c. TTU system administration officers. Annually, the chancellor will review with the board the chancellor's evaluations of the performance of the vice chancellor and chief financial officer, vice chancellor and general counsel, vice chancellors, and other TTU system administration officers.

02.03.5 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.

02.03.6 TTU system administration officer salaries. The salaries of the vice chancellor and chief financial officer, vice chancellor and general counsel, vice chancellors, and other TTU system administration officers shall be set by the chancellor, with a report of such salaries pre-

presented to the board at the time the TTUSA operating budget is presented to the board each year.

- 02.03.7 Time of salary actions. Unless otherwise authorized by the board, salary actions related to the chancellor, vice chancellor and 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 02.03.4, *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 a report of such salaries presented to the chancellor and the board at the time the institution's operating budget is presented to the board each year.
- 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 a president of a component institution of the TTU system thereof shall be in writing and approved by official action 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 Section 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 – 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 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 receive instruction in and provide a customer service orientation to its internal and external constituencies;
- d. provide for cultural diversity throughout all facets of the institution;
- e. ensure that the component institution provides a high quality of educational curriculum and faculty for the benefit of its students;
- f. recommend operating budgets and supervise expenditures under approved budgets;
- g. 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;
- h. maintain efficient personnel programs;
- i. ensure the proper administration of the financial affairs of the component institution, including the accounting, financial oversight, and financial report preparation functions required;
- j. 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;

- k. 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;
- l. 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*;
- m. 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;
- n. 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;
- o. develop and implement programs and policies that promote ethical behavior and ensure compliance with all applicable policies, laws, and rules governing public higher education in Texas, including research and health care to the extent applicable;
- p. develop and implement a contract management handbook that provides consistent contracting policies and practices, contract review procedures, a risk analysis procedure, and a contract review checklist approved by general counsel describing contract execution processes; and
- q. carry out all other duties and responsibilities assigned to the president by the board or the chancellor.

