The Rules and Regulations of the Board of Regents of the Texas Tech University System

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[with amendments through: 11-17-2022]

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Note: See also ... BOARD POLICY STATEMENTS for:
-- Audit Committee Charter
-- Comprehensive Cash Pool – CCP
-- Investment Policy Statement – LTIF
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-- Seals of the Texas Tech University System
Missions

Dates Approved or Amended:
-- Comprehensive review..............................12-12-2014
-- Revised TTUHSC Mission statement......05-19-2017
-- Revised mission statement of ASU ........05-13-2021
-- Updated TTUS mission statement and added mission statement for MSU……09-01-2021
Chapter 00 -- Definitions, Style, and Citations

Dates Approved or Amended:
-- Comprehensive review/amendments ........10-10-2014
-- Added definition for MSU .........................09-01-2021

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-- Technical adjustments............................10-10-2014
-- Technical adjustment ..........................12-12-2014
-- System clean-up legislation revisions ......10-09-2015
-- Added Board self-evaluation policy...........03-02-2018
-- Added delegations of authority..............04-06-2020
-- Updated FAI Committee & deleted IAC ..12-10-2020
-- Technical adjustment .......................05-13-2021
-- Amendments re Standing Committees ....05-25-2021

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-- State contracting law changes.............10-09-2015
   • added §02.01.3.n & §02.04.2.o
   • conforming changes to Ch. 07 section citations in §02.03.2.c & §02.03.3.b
-- State contracting law changes.............05-20-2016
   • added §02.04.2.p
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-- Comprehensive review/amendments .......10-11-2013
-- Technical adjustment .................................10-10-2014
-- Amendments as noted ................................10-09-2015

-- Various amendments as noted ...........05-20-2016
  • various sections revised due to 2015 state contracting law changes, including §: 03.01 ... 03.01.1.d ... 03.01.1.f
  ... 03.01.2.a ... 03.01.2.j-k ... 03.01.5
  • various sections conformed to EEO provisions in Title IX, Title VII and U.S. Executive Order 11246,
    including §: 03.01.2.h; 03.01.8.a
  • clarifying change to §03.01.5.b(3)-(4) re: the approving authority for outside employment

-- Various amendments as noted ..........03-02-2018
  • updates and conforming changes due to revisions in state law relating to contracts and conflicts of interest,
    including to: §03.01.2.j ... §03.01.5.b(3) ... §03.03.2 ... §03.03.3.a ... §03.03.5.a

-- Conforming amendment ....................05-17-2019
  • to §03.03.2 to conform with §03.03.5.a

-- Various amendments as noted ..........12-13-2019
  • §03.01.11.e-f were amended and §03.01.11.l was added to more fully specify the steps that must be taken to
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-- Technical adjustment .................................10-10-2014
-- Miscellaneous clean-up revisions ..........10-09-2015
-- Rename Horn Professorship .............08-06-2020
-- Deletion of Section related to namings .....08-05-2021

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Chapter 05 -- Student Affairs

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-- Comprehensive review/amendments........08-09-2013
-- Amend §05.01.2 re: parking fees..........08-10-2018 – parking fees, but not parking regulations, are approved by the board
-- Amendment re: admission policies........12-10-2020 •to §05.02.1 ...delegate to the Chancellor the responsibility to set campus admission standards

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-- Amendments ......................................................... 03-06-2015
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-- Comprehensive review/amendments .......02-28-2014
-- Amendment.............................................03-06-2015
-- State contracting law changes..............10-09-2015

-- Multiple and various amendments ....05-20-2016
• Additional state contracting law changes … amendments to multiple sections, including: §07.02.6, 07.02.7, 07.03, and extensively throughout 07.12
• Updates to audit provisions … to reflect changes in the audit mission, code of ethics, and audit standards adopted by the Institute of Internal Auditors.
• Revisions to emergency approvals of a budget adjustment or a contract … to conform the budget policy to the contract policy and require that such proposals be submitted by the Chancellor.
• Change in the ‘early start’ provision for consulting contracts of more than $25,000 … to require that such proposals be submitted by the Chancellor.

-- Amendment.............................................10-14-2016
• §07.02.5.b revised to bring the use-of-debt-proceeds provision in line with U.S. Treasury regulations

-- Amendment.............................................08-11-2017
• amended §07.12.4.e(2) to require prior review of $25,000-or-less consulting contracts by the System CFO, rather than by Board chair and chair of Finance & Administration Committee

-- Amendment.............................................10-20-2017
• added a new §07.12.4.c for a delegation of contract approval authority to the health-related presidents for certain continuing contractual relationships; and deleted old §07.12.4.d due to it conflicting with §07.12.3.b.

-- Amendment.............................................03-02-2018
• changes re: debt and equipment financing policies (§07.05.2.b and §07.05.4.a) … student financial assistance program administration (§07.10.4) … contracts and conflicts of interest (various in §07.12) … name of the Office of Treasury

-- Amendment.............................................08-09-2019
• changed HEAF to HEF throughout;
• added new §07.05.2.b(6) re: Chancellor approval of RFS funding for minor projects;
• added delegations of authority for state comptroller deposits (§07.07.4) and primary/secondary depositories (§07.08.3)

-- Amendments ......................................... 02-24-2022
• §07.02.3 – language added to reflect the current standards of audit practices.
• §07.03.6.b – Added the Office of Equal Opportunity to the list of offices with which to consult when an employee’s fraudulent act leads to disciplinary action.
• §07.04.3.b – deleted antiquated certification requirement as TTU system is no longer subject to the TX Bond Review Board.
§07.04.4.a.(1), §07.04.4.b.(1), §07.04.4.c.(1), and §07.04.4.f.(2) – updated regarding budgetary control to specify:
(1) the requirement of board approval for budget adjustments that are more than $2 million due to new activities
and/or revenue sources (increased from $1 million); (2) the chancellor’s ability to approve budget adjustments of
$2 million (increased from $1 million) or less to TTUSA’s original budget; (3) president’s ability to approve
budget adjustments of $2 million (increased from $1 million) or less to each institution’s original budget; and (4)
update the threshold to $500,000 for reporting deficit fund balances.
§07.05.2.b(4) – added the word “division” to replace the word “area” as division is more accurately defined.
§07.05.2.b(7) & §07.05.2.c – added clarification on the appropriate use of Higher Education Fund for financed
projects and deleted antiquated language related to the Revenue Financing System.
§07.10.1 – language added to indicate the role of the board in approving revisions to tuition and fees
biannually to replace the existing requirement for annual approval.
§07.12.1.b & §07.12.1.e-i – language added to clarify that: (1) the requirement for written contracts may be
satisfied as a purchase order; (2) the development of contract review procedures and check lists to ensure
consistency in contracting practices; (3) employee training and continuing education on ethics, appropriate
procurement methods and information resources purchasing; and (4) appropriate submission of contracts to the
board.
§07.12.3.a & b – language added for term threshold for when a contract in excess of $1 million require board
approval - changed from “over the term” to “per annum.”
§07.12.3.d – language updated on the exemption from board approval for contracts that may be terminated
without cause with notice of 180 days.
§07.12.3.e(1) – language relocated (previously in 07.12.4e) and the threshold for consulting contract requiring
board approval increase to initial considerations in excess of $100,000 (up from $25,000) and the
requirement that contracts may be approved by the vice chancellor and CFO, the chancellor and component president and later
presented at the next scheduled board meeting.
§07.12.3.h – language moved from Chapter 8 to Chapter 7- the existing requirement for presidential approval
of contracts for the sale of alcohol by third party vendors at TTU system facilities. The requirement that the
board approves sale of alcoholic beverages by a third-party vendor at any intercollegiate athletic event is also
removed, thereby granting this approval to presidents.
The summary table for contract approval is relocated to the end of the chapter and reflects the necessary
updates.
Other editorial changes throughout to improve clarity and readability.
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-- Amendments as noted ..............................10-10-2014:
  • §08.01.9 – revised FP&C fees ...
  • §08.02.4.e – re: honorary statutes ...
  • §08.07.5 – re: alcohol policy
-- Amendments as noted ..............................10-20-2017:
  • §08.01.2 – revised to a general statement defining major and minor projects ...
  • §08.01.3 – overhaul of approval processes for major projects ...
  • §08.01.7 – emergency authorization for use of contingencies
-- Amendments ............................................05-18-2018:
  • §08.01.3.a – added feasibility study option
-- Amendment added §08.12.............................08-10-2018:
  • (1) allows institutional presidents, rather than the board, to adopt policies that regulate traffic and parking
    on their respective campuses; and (2) continues to require board approval of parking fee rates
-- Various amendments as noted......................12-13-2019:
  • increased the threshold for a major project from $2 million to $4 million;
  • revised the requirement for use of a Construction Manager Agent on major projects;
  • with the approval of the Board, a major project could be managed by the institution rather than by FP&C;
  • upon a request by a president, FP&C could be designated to manage a minor project;
  • when new furniture/equipment is to be purchased for a major project, the president must certify
    that existing and/or surplus furniture/equipment is not suitable for the space being constructed; and
  • the public art fee and the landscape enhancement fee were each set at up to 1% of a major project’s budget
    or $500,000, whichever is less.
-- Amendments ............................................08-05-2021:
  • Deleted Section 08.05 related to namings
-- Amendments ............................................02-24-2022:
  Various amendments are proposed for the policies that govern processes for construction projects and
  administration of TTU system facilities. Examples include:
  • §08.00.6 & §08.01.3 – language added to define “Project Management Team” as the team responsible for
    managing major construction projects.
  • §08.01.1 – language added to update Texas Education Code citation related to competitive bidding for
    construction projects
  • §08.01.5 – language added regarding the applicability of federal regulations and institutional OPs to the
    procurement process for construction projects
  • §08.01.9 – Simplification of language on FP&C fees which is 2.4% of the initial project paid out over three
    milestones. Provisions related to “grandfathered” construction projects and the distinction of fees for projects
    above or below $15 million is deleted
  • §08.02, §08.06.3 & §08.06.4 – language added to clarify: (1) the role of the Board and FP&C related to master
    plan initiatives; (2) the broad applicability of TTU System policies to aiding non-profit organizations that exist
    for the purpose of supporting the TTU system institutions; and (3) that the playing fields and other athletic
    facilities are under the control of the various departments of athletics.
  • §08.06.5 – Clarifying language added on the sale and service of alcohol; and moving to Chapter 7 the existing
    language on the board/president’s role in approving the license or sale of alcoholic beverages at facilities

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Chapter 09 -- Investments and Endowments

Dates Approved or Amended:
-- Comprehensive review/amendments........08-08-2014
-- Miscellaneous clean-up revisions..........10-09-2015  • to §09.07.3
-- Amendment re: SITIF management........08-10-2018
  • to §09.02 to allow the SITIF investment policy statement to provide all of the policies that govern
management of the SITIF
-- Various amendments as noted..............12-13-2019
  • to update SITIF references to the new STIF and ITIF; and
  • to add language to handle exceptions to investments requested by a donor
-- Various amendments as noted..............12-10-2020
  • to §09.00, §09.01.2, §09.02, and §09.03 …replace STIF and ITIF references to the new CCP;
  • to §09.02 …delete the roles and responsibility of the IAC; and
  • to §09.02.1 and §09.02.2 …define/clarify the roles of the CFO and CIO
-- Various amendments as noted..............11-17-2022
  • to §09.00.1 to add the Mission Driven In-vestment Fund (MDIF) as the third investment program;
  • to §09.01.3 to add a definition for MDIF;
  • to §09.05 to include clarification on the policies for the new MDIF; and
  • various updates to section numberings throughout.

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-- Comprehensive review/amendments.......10-09-2015

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-- Comprehensive review/amendments...........10-11-2013

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Chapter 12 -- Honorifics and Seals

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-- Comprehensive review/amendments ........08-09-2013
-- Amendments ............................................12-12-2014
• added new §12.06 re: honorary statues and re-numbered subsequent sections
-- Amendments ............................................05-19-2017
• added new §12.09 re: a seal monument for TTU-Costa Rica
-- Amendments ............................................02-26-2021
• added new §12.10 re: TTU School of Veterinary Medicine seal
-- Amendments ............................................08-05-2021
• deleted §12.05 other honorific naming not facility or gift related

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-- Approved as a new chapter .......................08-05-2021
-- Amendments ............................................08-11-2022
• updated definition of affiliated entities §13.00.2; updated definition of gifts §13.00.5; and updated exigent circumstances provision §13.05.8 all to align with Chapter 06.

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