

STEPHEN F. AUSTIN  
STATE UNIVERSITY

Office of the General Counsel

**POLICY SUMMARY FORM**

**Policy Name:** Items Requiring Board of Regents Approval

**Policy Number:** 1.4

**Is this policy new, being reviewed/revised, or deleted?**    Review/Revise

**Date of last revision, if applicable:** 1/26/2016

**Unit(s) Responsible for Policy Implementation:** President

**Purpose of Policy (what does it do):** This policy establishes items and actions that require approval by the Board of Regents. It also specifies items and actions that do not require board approval.

**Reason for the addition, revision, or deletion (check all that apply):**

- ☐ Scheduled Review      ☐ Change in law      ☐ Response to audit finding  
☐ Internal Review      ☒ Other, please explain:

*Please complete the appropriate section:*

**Specific rationale for new policy:**

**Specific rationale for each substantive revision:** The Texas Higher Education Coordinating Board no longer approves projects. Currently the coordinating board reviews E&G projects with projected costs of \$10,000,000 or more.

**Specific rationale for deletion of policy:**

*Additional Comments:*

Reviewers:

Ron Watson, Director of Physical Plant  
Michaelyn Greene, Director of Administrative Services  
Danny Gallant, Vice President for Finance and Administration  
Damon Derrick, General Counsel

## Items Requiring Board of Regents Approval

**Original Implementation:** July 5, 1988

**Last Revision:** ~~January 26, 2016~~ October 29, 2018

### *Purpose*

*This policy establishes items and actions that require approval by the Board of Regents. It also specifies items and actions that do not require board approval.*

### Items That Require Approval by the Board of Regents

1. Construction/renovation projects if the estimated cost is \$100,000 or more, including:
  - a. Selection of an architect/engineer.
  - b. Authority to submit all construction and/or renovation project proposals, real property purchases, and energy savings performance contracts to the Texas Higher Education Coordinating Board (THECB) that require THECB approval, or as otherwise required under law.
  - c. Construction contract awards. The Guaranteed Maximum Price must be reported to the Buildings and Grounds Committee at the next possible meeting.
  - d. Approval of project budget.
  - e. Change orders that would increase the cost of the project beyond the amount of the Guaranteed Maximum Price. Board approval of change orders would not be required for budgeted construction contingencies within the Guaranteed Maximum Price.
  - f. For projects requiring ~~coordinating board approval~~ *THECB review*, a final project close-out report entailing a post completion evaluation of the project that includes the following elements that must be reported to the Buildings and Grounds Committee: final project cost, summary of change orders, existence of any liquidated damages, final HUB participation percentages and total value, summary of approvals from any state or federal agencies having jurisdiction, survey summary of evaluation by end users, and summary of final inspection punch list for items needing repair. A warranty inspection will be conducted and major warranty repairs summarized for review by the president and chair of the Buildings and Grounds Committee.
2. Actions relating to university employees, including
  - a. Appointment of full-time faculty
  - b. Faculty promotions
  - c. Awarding of faculty tenure
  - d. Appointment of full-time administrative/professional staff (exempt) excluding those requiring student status

- e. Change of position status of full-time faculty and administrative/professional (exempt) staff
  - f. Advisement on termination of full-time faculty and administrative/professional (exempt) staff (executive session only, does not require board action for approval)
  - g. Leaves of absence for faculty and administrative/professional (exempt) staff for one semester (four and one-half months) or more
  - h. Dual employment (with state agencies) of faculty and administrative/professional (exempt) staff
3. Delegations of administrative authority, including
    - a. Authority to approve travel
    - b. Authority to approve purchases
  4. Policy statements when the effect will be to change admission, probation, or suspension regulations; establish or alter policies, regulations, or rules relating to employment or property rights; govern the activities of the entire university or a major section of the university, such as rules for admission into teacher education or any other major curriculum; change long standing and well accepted practices or patterns of behavior; or implement rules, regulations or activities established by external authorities
  5. Contracts, purchases, or agreements in the amount of \$100,000 or more, except those that appear in Item B below
  6. Any lease of any item (building, equipment, etc.) if the total cost of the lease is expected to be \$100,000 or more without regard to the length of the lease period
  7. Purchase, sale or exchange of real property
  8. Depository contracts
  9. Food service (or similar) contracts, including changes in existing contracts
  10. Contracts and agreements with support or development foundations
  11. Settlements, consent decrees, authority to enter into litigation (executive session only, does not require board action for approval)
  12. Establishment (or change) of tuition, student fees, and room and board rates
  13. Curriculum matters, including
    - a. Establishment or elimination of academic programs
    - b. Establishment or elimination of courses
    - c. Major changes in programs or courses
  14. Designation of a name for university buildings, facilities, streets, etc.
  15. Annual holiday schedule
  16. Private, governmental, or foundation grants or agreements if the purpose of the grant, etc. is not designated ("president's discretion" constitutes a designation)
  17. Annual operating budget
  18. Increases in existing budgets through a "budget adjustment" if over \$100,000, except revolving funds.
  19. Biennial legislative request
  20. Long range master plan

## Items That Do Not Require Approval by the Board of Regents

1. Construction or renovation projects under \$100,000
2. Change orders under \$100,000 as long as the approved budget is not exceeded
3. Appointment, change-of-status, promotion, termination of non-exempt employees
4. Appointment, change-of-status, termination of graduate or student assistants
5. Resignations
6. Contracts, purchases, and agreements when the amount is less than \$100,000
7. Budget transfers that do not increase the board approved budget
8. Private, governmental, and foundation grants, agreements or sub-awards if the purpose of such is stipulated by the grantor. New grants, contract, agreements or sub-awards are to be submitted to the Board of Regents for ratification on a quarterly basis.
9. Materials purchased for resale in auxiliary operations and central stores
10. Materials purchased for inventory stock of physical plant, residence life, or student center operations, such as custodial cleaning products and paper goods
11. Materials purchased for inventory stock from operation and maintenance budgets previously approved by the board, such as food purchases for the Early Childhood Lab and Piney Woods Conservation Center
12. Library subscription services
13. Recurring printing orders
14. Contracts and agreements for athletic events, entertainment concerts, fine arts events, and other similar activities
15. Group travel packages for resale
16. Materials or services purchased for emergencies resulting from disasters, hazards, or other exigent circumstances
17. Outside counsel contracts ~~for intellectual property matters~~
18. Other items approved by the president of the university which are not listed in Section A of this policy
19. Specific commodities or service necessary for day-to-day operations of the university:
  - a. Water utility
  - b. Regulated electricity for beef farm, broiler farm and PWCC
  - c. Gasoline for university vehicles
  - d. Credit card merchant service fees
  - e. Maintenance contracts associated with preventive and/or repair work for on-going maintenance or service provided on a scheduled or as-needed basis for equipment or software
  - f. Asbestos abatement projects as necessary on an “as needed” basis
  - g. Insurance negotiated and/or approved by the State Office of Risk Management
  - h. Temporary staffing services
  - i. Telecommunications and networking services and fees for land-line phones, cell phones and internet service

- j. Hosted software services and applicable license and maintenance for general business operations such as student bill payment, cashiering and student email
- k. Television programming services
- l. Pest Control services
- m. Concrete services not related to a project that requires board approval
- n. Hazardous waste pick-up and disposal services
- o. Radio tower rental for the university radio station
- p. Consultant for annual roof inspections
- q. Fire alarm inspections
- r. Travel-related contracts, including air charter service
- s. Search engine optimization for the university website
- t. Preferred or mandatory use vendor contracts, blanket contracts or standing orders not otherwise requiring board approval, for which multiple purchases made as needed by departments may exceed \$100,000 over the term of the contract including renewals and including, but not limited to, computers, printers, office supplies, promotional products, chemicals and air filters for HVAC systems, etc.

**Cross Reference:** None

**Responsible for Implementation:** President

**Contact for Revision:** President

**Forms:** None

**Board Committee Assignment:** Finance and Audit Committee