

Items Requiring Board of Regents Approval

Original Implementation: July 5, 1988

Last Revision: July 26, 2022

Purpose

This policy establishes items and actions that require approval by the Board of Regents.

Definitions

Project budget - the total of all costs associated with a project.

Contract - a purchase order with or without additional documents including a quote, terms and conditions, agreement, etc.; a contract document outlining terms of the agreement and requiring signature. Examples include contracts that the Board of Regents approves, contracts that the president or designee signs, ordinary operating expenses issued by a purchase order, and revenue contracts.

A. Items That Require Approval by the Board of Regents

1. Contracts with a total cost or value of \$1,000,000 or more
 - a. All contracts or agreements with a total cost or value of \$1,000,000 or more, unless exempted in Section B below. The total cost or value of the contract includes all potential contract documentation.
 - b. Any amendment, extension, or renewal of a contract with a value that exceeds 25 percent of the value of the original contract previously approved by the Board of Regents in accordance with Texas Education Code (TEC) 51.9337(f). Any amendment, extension, or renewal of a contract not previously required to be approved by the Board of Regents that cumulatively total \$1,000,000.
2. Annual operating budget
3. Annual operating budget amendments, if cumulatively total \$1,000,000,
4. Long range master plans and strategic plans
5. Construction/renovation projects if the estimated cost is \$1,000,000 or more, including:
 - a. Total project budget and adjustments that increase the total Board of Regents approved project budget
 - b. Selection of an architect/engineer
 - c. Construction contract awards including Guaranteed Maximum Price
 - i. Change orders that would increase the cost of the project beyond the amount of the Guaranteed Maximum Price. Board approval of change orders is not required for budgeted construction contingencies within the Guaranteed Maximum Price.
6. 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.
7. Purchase, sale, or exchange of real property
 8. Depository contracts
 9. Contracts and agreements with support or development foundations
 10. Legislative appropriations requests
 11. 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 (exempt) staff 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
 12. Annual holiday schedule
 13. 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
 14. Any lease of any item (building, equipment, etc.) if the total cost of the lease is expected to be \$500,000 or more without regard to the length of the lease period
 15. Settlements, consent decrees, authority to enter into litigation (executive session only, does not require board action for approval)
 16. Establishment (or change) of tuition, student fees, room and board fees, and all optional statutory tuition exemptions or waivers. Approval must be provided on no less than an annual basis, or when there is any change to the items listed.
 17. Curriculum matters, including
 - a. Establishment or elimination of academic programs
 - b. Establishment or elimination of courses
 - c. Major changes in programs or courses
 18. Designation of a name for university buildings, facilities, streets, etc.
 19. Private, governmental, or foundation grants or agreements of \$1 million or more or if the grant commits the university more than five years.

B. Exceptions That Do Not Require Approval by the Board of Regents

1. Private, governmental, and foundation grants, agreements or sub-awards if the purpose of such is stipulated by the grantor. New grants, contracts, agreements or sub-awards are to be submitted to the Board of Regents for ratification on a quarterly basis.
2. Materials purchased for resale in auxiliary operations and central stores
3. Materials purchased for inventory stock of physical plant, residence life, or student center operations, such as custodial cleaning products and paper goods
4. Materials purchased for inventory stock from operation and maintenance budgets previously approved by the board, such as food purchases for the Early Childhood Lab
5. Materials or services purchased for emergencies resulting from disasters, hazards, or other exigent circumstances
6. Library subscription services
7. Recurring printing orders
8. Contracts and agreements for athletic events, entertainment concerts, fine arts events, and other similar activities
9. Group travel packages for resale
10. Outside counsel contracts
11. Other items approved by the president of the university which are not listed in Section A of this policy
12. Specific commodities or service necessary for day-to-day operations which may aggregate over \$1,000,000 in an annual period, including, but not limited to utilities, gasoline, insurance, telecommunications and networking services, preferred or mandatory use vendor contracts, and blanket contracts or standing orders for which multiple purchases are made as needed by departments over the term, including renewals, to include, but not limited to, computers, printers, office supplies, promotional products, and routine maintenance products.

Cross Reference: 19 Tex. Admin. Code Ch. 17; Contracting Authority (1.3); Delegated Purchasing Authority (17.5); Procurement Manual; Construction Manual

Responsible for Implementation: President

Contact for Revision: President

Forms: None

Board Committee Assignment: Finance and Audit Committee

Revision History: July 23, 2019
April 30, 2019
October 29, 2018
January 26, 2016
July 29, 2014
April 23, 2013
July 19, 2011