1972

Revised By-Laws of the Tyler State College Board of Regents

University of Texas at Tyler

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PREAMBLE

The Board of Regents, Tyler State College, is composed of nine members who are appointed by the Governor of Texas with the advice and consent of the Senate. Three Members of the Board are appointed biennially to serve for terms of six years.

The Board is charged with the responsibility of performing those duties which are delegated to it by the Legislature. The Board has no authority except as delegated to it by law.

Knowledge of the limitations of its authority is imputed to all persons, firms and corporations dealing with the Board.

ARTICLE I.

MEETINGS OF THE BOARD OF REGENTS

Section 1.1 Annual Meetings.

The Board of Regents shall convene annually on the first Wednesday of April, or as soon thereafter as practical. Until a campus has been selected and suitable facilities erected thereon, the Board shall convene at a suitable place in the City of Tyler, Texas, but when suitable facilities become available the Board of Regents shall convene on the campus of the college for such meetings. The April Meeting of the Board shall be known as the Annual Meeting.

Section 1.2 Regular Meetings.

Regular Meetings of the Board of Regents shall be held quarterly, at 2:00 p.m. on the second Wednesday of the months of January, April, July and October, on the campus of the College in Tyler, in the Board Room of the College, or at such other place as may be determined by the Board in advance of its meetings.

Section 1.3 Special Meetings.

Special Meetings of the Board of Regents may be called by the Chairman of the Board of Regents, President of the University, or the Executive Committee. Written notice by telegraph or mail of the time, place and purpose of the Special Meeting shall be given to each member of the Board not less than three days prior to the date of the meeting. No other business than that contained in the Notice of Special Meeting may be considered by the Board, unless unanimous consent of the members of the Board.

Section 1.4 Quorum.

A majority of the Board of Regents shall constitute a quorum to transact business. A majority vote of the members of the Board of Regents present shall prevail in all matters.
Section 1.5. Open Meeting.

All meetings of the Board of Regents shall be open to the public. Executive sessions of the Board may be held with the consent of a majority of those Members present, and at such sessions only that business which is permitted by law to be transacted in an executive session can be considered.

ARTICLE II

ANNUAL ELECTION OF OFFICERS

Section 2.1. Election of Officers

The Officers of the Board shall be elected by the members of the Board at the April meeting of each year to serve a one year term. The officers of the Board of Regents shall be the Chairman, Vice-Chairman and Secretary. The April meeting of the Board shall be known as the Annual Meeting.

Section 2.2. Re-election of Officers.

The officers may be elected for a one year term and may not succeed themselves.

ARTICLE III

OFFICERS

Section 3.1. Officers.

The Officers of the Board shall include a Chairman, a Vice-Chairman, and a Secretary, and such other officers as may from time to time be elected or appointed.

Section 3.2. The Chairman of the Board.

At the Annual meeting of the Board, and as the first order of business after the meeting has been called to order, there shall be elected from the membership of the Board a Chairman, who shall take office immediately following election, and who shall serve until the next annual meeting.

In the event of a Chairman's death or resignation, the Vice-Chairman shall serve as Chairman of the Board until the next Annual Meeting.

The Chairman of the Board shall preside at all meetings of the Board which he attends.

Parliamentary procedure in Board meetings will conform to Robert's Rules of Order when not in conflict with Board Rules.

The Chairman shall, in the name of the Board, formally execute all contracts and documents authorized by resolutions of the Board, and perform such other duties as are generally imposed on a chairman of a Board.

Section 3.3. The Vice-Chairman.

A Vice-Chairman shall be elected from the membership of the Board immediately following the election of a Chairman and shall serve until the next Annual Meeting.
The Vice-Chairman shall preside over meetings of the Board in the absence of the Chairman, and shall succeed to the rights and powers of the Chairman in the event he is absent from the State, or has resigned, or is unable to act because of disqualification or because of physical disability as determined by the Board. The Vice-Chairman shall perform such other duties as may be delegated to him by the Board.

In the event of the death or resignation of a Vice Chairman, the Board shall, as soon as practical thereafter, elect a successor from the membership of the Board to serve until the next Annual Meeting.

Section 3.4. The Secretary.

A Secretary shall be elected from the membership of the Board immediately following the election of the Vice-Chairman, and shall serve until the next Annual Meeting.

The Secretary shall cause accurate and complete minutes of all proceedings of the Board to be maintained and filed in a regular Minute Book for that purpose, and shall perform such other duties as may be delegated to him by the Board.

In the event of the death or resignation of a Secretary, the Board shall, as soon as practical thereafter, elect a successor from the membership of the Board to serve until the next Annual Meeting.

ARTICLE IV

COMMITTEES

Section 4.1. Matters To Be Referred To Committees.

The Board, in cases where practicable, before taking action on any subject or measure coming clearly within the sphere of the duties of any standing committee, shall refer the matter to such standing committee. The committee shall report its recommendations to the Board. Shortly after his election, the Chairman shall appoint the following standing committees, each to consist of three members: Executive Committee, Legal Committee, Academic and Personnel Committee, Campus and Building Committee, and Finance and Appropriations Committee.

Section 4.2. Duties of the Executive Committee.

This committee, made up of the Chairman, Vice-Chairman, and Secretary of the Board, shall review and make recommendations on all matters not specifically allocated to other committees. It shall also serve as an over-all Board policy planning and recommendations committee. It may be assigned other duties by the Chairman of the Board. Authority to act for the full Board on a specific matter may be delegated to the Executive Committee by prior majority Board action.

Section 4.3. Duties of the Academic and Personnel Committee.

This committee shall review and recommend policies concerning the college's academic program. Matters relative to membership of the College in various organizations may be referred to this Committee. It shall review and approve all personnel employed by the College.

No individual may be employed by the Tyler State College who is related within the second degree by affinity or within
the third degree by consanguinity to any member of the Board. The inhibitions of Article 432, Penal Code of the State of Texas, and Amendments thereto shall apply.

Section 4.4. Duties of the Campus and Building Committee.

This committee shall review and recommend Board policy on physical plant facilities. It shall specifically review:

a. Use and occupancy of College property.

b. Planning, locating, receiving bids, awarding contracts, construction and maintenance of buildings, utilities, and other physical facilities of the campus.

c. Preparing and keeping current a schedule of priorities of construction of major additions, buildings, and improvements.

Section 4.5. Duties of the Finance Committee.

This committee shall review and recommend fiscal policies of the College. It shall specifically review:

a. All requests for appropriations.

b. Budgets covering expenditures of educational and general funds, and all auxiliary programs.

c. Handling of College funds, depositories, etc., whether from appropriated or contributed funds.

Section 4.6. Legal Committee.

This committee shall advise with the College's legal counsel and shall have such other duties as may be assigned to it by the Chairman of the Board.

Section 4.7. Special Committees.

The Chairman of the Board with the advice and consent of the Board shall be empowered to create special committees of the Board and appoint members thereto as circumstances warrant or conditions demand.

ARTICLE V.

THE PRESIDENT OF THE COLLEGE

Section 5.1. The President and His Duties.

The President of the College shall, at the April meeting, be appointed by the Board of Regents and shall be the responsible agent of the Board of Regents and the chief administrative officer of the College directly accountable to the Board and its Chairman. His discretionary power shall be broad enough to enable him to meet these responsibilities. He shall maintain, available for the Board's review, administrative policies and a complete chart showing all lines of authority in the college administration. The President shall have the liberty of presenting any matter which he desires to the Board.
However, all matters to be submitted to the Board shall be submitted in writing to each member of the Board at least 72 hours prior to the scheduled meeting unless waived by a majority of the Board.

Faithful and distinguished service by the President may be recognized by the Board upon his retirement by conferral of the honorary title President Emeritus, without remuneration or authority.

Section 5.2. Personnel.

The President shall nominate annually to the Board of Regents the employment of such faculty members, administrators and other personnel who, in his opinion, will serve the best interests of the institution, after review by the Academic and Personnel Committee. No religious or racial test shall be required as a qualification for employment since it is the policy of the College to recruit, hire, and promote all college academic and non-academic staff without regard to race, creed, color, national origin, sex or age; except where sex or age is a non a fide occupational qualification.

Section 5.3. Finance.

Where expenditure of funds is requested, the chief fiscal officer of the College, under the direction of the President, shall prepare a statement relative to the source and availability of funds, after review by the Finance and Appropriations Committee of the Board.

ARTICLE VI

COMMUNICATIONS TO THE BOARD

Communications to the Board from persons not members thereof, except in the case of the President and Vice Presidents of the College or the Secretary of the Board, shall be in writing and shall be submitted through the Chairman of the Board and the President of the College. Notice of a desire to be heard before the Board shall be filed with the Chairman of the Board or its Secretary, and the President of the College, not less than three days in advance of the meeting and shall state the purpose of such appearance.

Employees of the College desiring to come before the Board shall be notified by the Secretary of the Board of the day and hour such requests will be considered by the Board so they will be available to appear before the Board.

ARTICLE VII

ORDER OF BUSINESS AT BOARD MEETINGS

Section 7.1. Order of Business.

The order of business for Regular Meetings of the Board of Regents shall be as follows, unless the Chairman otherwise directs:

(1) Approval of the Minutes of the preceding meeting.
(2) Report and recommendations of the President of the College.
(3) Reports of Standing Committees.
(4) Reports of Special Committees.
(5) Unfinished business.
(6) New Business.
Section 7.2. Rules of Procedure.

Roberts' Rules of Order, when not in conflict with any of the provisions of these by-laws, shall be the rules of parliamentary procedure when the Board is in session.

ARTICLE VIII

BOARD MEMBERS ENTITLED TO VOTE

No member of the Board of Regents shall be entitled to vote at any Regular or Special Meeting thereof unless he be present in person.

ARTICLE IX

CONTRACTS

All contracts approved by the Board shall be entered into in the official name of the Board, shall be considered and approved in open meetings, and shall be recorded in the Minutes of the meeting at which they are approved. The original copy of an executed contract shall be filed in the Executive Offices of the College. Executed copies of the contract shall be delivered to the party with whom it is made and to such other parties as the Board may determine.

ARTICLE X

MANNER OF MAKING AMENDMENTS TO BY-LAWS

These By-laws may be rescinded or amended by vote of at least five members of the Board at a Regular Meeting. Any proposed recession or amendment shall be filed with the Secretary of the Board in writing not less than thirty days before such meeting and it shall be the duty of the Secretary forthwith to mail a copy of such proposed recession or amendment to every member of the Board.

ARTICLE XI

PARTIAL INVALIDITY

Should all or any part of the foregoing By-Laws conflict with any constitutional, statutory or legislative appropriation provisions, they shall be amended to conform therewith.

Chairman, Board of Regents
Tyler State College

ATTEST: