

STATEMENT ON GOVERNANCE OF THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

The following statement on governance of the University of Texas Health Science Center at Houston (UTHealth) is fashioned after the "Statement on Government of Colleges and Universities" that was developed by the American Association of University Professors, the American Council on Education and the Association of governing Boards of Universities and Colleges. It is intended to assist in clarifying the roles of the President, Deans and faculty, and in so doing, facilitate and foster communication and cooperation between these parties. The Statement includes a discussion on joint effort and the roles/responsibilities of the President, Deans, faculty, and students, and it is adapted from the "Statement on Government of Colleges and Universities," The University of Texas Regents' Rules and Regulations, and the Handbook of Operating Procedures for The University of Texas Health Science Center at Houston.

Joint Effort

The inescapable interdependence among the administration (including Deans and Department Heads), faculty, students and others at UTHealth requires that there be adequate communication among these constituencies, and full opportunity for appropriate joint planning and effort.

Joint effort will take a variant of forms appropriate to the kinds of situations encountered. In some instances, an initial exploration or recommendation will be made by the President or the Deans with consideration by the faculty at a later stage; in other instances, a first and essentially definitive recommendation will be made by the faculty subject to the endorsement of the Deans, the President, the UT System, and the Board of Regents. In still others, a substantive contribution can be made when student leaders are responsibly involved in the process. Important areas of action involve at one time or another the initiating capacity and decision-making participation of all the institutional constituencies, and differences in the weight of each voice, from one point to the next, should be determined by reference to the responsibility of each component for the particular matter at hand, as developed hereinafter.

Determination of General Academic Policy

The general educational policy, i.e. the objectives of an institution and the nature, range and institutional charter or law, by tradition and historical development, by the present needs of the community, by the needs of the institution, and by the professional aspirations and standards of the Board of Regents, faculty and administrators who are directly involved in its work. The interests of all these groups are coordinate and related, but unilateral effort of any group can lead to confusion and conflict. Consequently, it is essential to have a reasonably explicit statement on general educational policy that clarifies the roles of the individual parties and hence minimizes potential conflict and/or confusion. Additionally, operating responsibility/authority and procedures for continuing review should be clearly defined in official regulations.

When an educational goal has been established, it becomes the responsibility primarily of the faculty, led by the Dean, to determine the appropriate curriculum and procedures of student instruction. Other matters such as major changes in the size or composition of the student body and the relative emphasis to be given to the various elements of the educational and research program may however involve varying degrees of participation of the UT System, Board of Regents, Texas Higher Education-Coordinating Board, accrediting bodies, administration and faculty prior to a final decision.

Internal Operations

Several aspects of the internal operation of the institution require joint effort of the Board of Regents, UT System, administration, faculty and students. These areas include: the selection of the President; long-range/strategic planning; some aspects of budgeting; and determining priorities for the acquisition of physical resources.

The selection of a new President requires cooperative search by the Board of Regents, UT System, faculty, and students with consideration given to the opinions of others appropriately interested. The President should be equally qualified to serve both as an executive officer of the Board of Regents and the chief academic officer of the institution, and his dual role requires that when necessary he be able

to interpret both to the Board of Regents and faculty the educational views and concepts of the other.

The framing and execution of long-range plans, one of the most important aspects of institutional responsibility, also should be a central and continuing concern of the academic community. Effective planning demands the broadest possible exchange of information and opinion among the constituencies of the University, the channels of communication should be established and maintained by joint effort. Distinction should be observed between the institutional system of communication and the system of responsibility for making of decision.

Budgeting, or the allocation of resources among competing demands, is central in formal responsibility of the Board of Regents and the administrative authority of the President and Deans, and it affects the educational function of the faculty. Each component should therefore have an appropriate voice in the determination of the short-and long-range priorities, and each should have access to analyses of past budgetary experience, reports on current budgets and expenditures, and short-and long-range budgetary projections. The nature of the authority and responsibility of each group will determine the flow of information and the scope of participation in decisions, and all should understand the function of each in budgetary matters.

Finally, joint effort is required for determining appropriate priorities for acquisition of physical resources. The Board of Regents, Present, Deans and faculty should seek agreement on basic decisions regarding buildings and other facilities used for the educational work of the institution.

The President

The President, within the policies and regulation of the Board of Regents and under the direction of the Executive Vice Chancellor, has general authority and responsibility for UTHealth. He or she shares responsibility, primarily with the Deans and Executive Vice Presidents, for the definition and attainment of goals, for administrative action, and for communications linking the components of the academic community. Some of these functions may also involve faculty.

As the chief planning officer of an institution, the President has a special obligation to innovate and initiate. Additionally, the President: is largely responsible for the existing maintenance of existing institutional resources and the creation of new resources; has ultimate managerial responsibility for a large area of nonacademic activities; is responsible for public understanding; and by nature of his office, is the chief spokesperson of the institution. He or she should attempt to minimize the effects of adverse internal and external factors on the faculty in carrying out he missions of the institution.

It is the duty of the president to see that standards and procedures in operational use within the university conform to the policies established by the Board and to the standards of sound academic practice, and to assess institutional effectiveness and outcomes. The President will necessarily utilize the judgments of the faculty, but in the interest of academic standards he may also seek outside evaluations by scholars of acknowledge competence.

It is incumbent upon the President to insure that the interests of the institution including at times the views of the faculty, are represented at the UT System level. Similarly, the Deans, faculty and staff should be informed of the views of the UT System and the Board of Regents.

Specifically, as prescribed in the Regent's Rules and Regulations, the President, with appropriate consultation, is expected to:

- Develop and administer plans and policies for the program, organization, and operation of the institution;
- Interpret the System policy to the Deans, faculty, and staff, and interpret the institution's programs and needs to the System Administration and to the public;
- Develop and administer policies relating to students, and where applicable, to the proper management of services to patients;
- Recommend appropriate operating budgets and supervise expenditures under approved budgets;
- Nominate to the UT System administration and the Board of Regents, all members of the faculty and staff, maintain efficient personnel programs

and recommend staff members for promotion, retention, or dismissal for cause;

- Ensure efficient management of business affairs and physical property and recommend additions and alterations to the physical plant;
- Serve as ex officio member of each school faculty or equivalent within the institution;
- Appoint, or establish procedures for the appointment of, all faculty, staff and student UHealth Committees;
- Assume initiative in developing long-range/strategic plans for the programs and physical facilities of the institution;
- Assume active leadership in developing private fund support for the institution in accordance with policies and procedures established in the Regents' Rules and Regulations; and
- Cause to be prepared and submitted to the appropriate Executive Vice Chancellor the rules and regulations for the governance of the institution. When such rules and regulations have been finally approved by the Chancellor, they shall thereafter constitute the Handbook of Operating Procedures for the Institution. Provided, however, that whether or not finally approved by the Chancellor, any rule or regulation in any such institutional Handbook of Operating Procedures that is in conflict with any rule or regulation in the Regents' Rules and Regulations, is null and void and has no effect, and whenever any such conflict is detected, the Chancellor and the President of the institution shall immediately make such amendments to the institutional Handbook of Operating Procedures as may be necessary to eliminate such conflict.

The President is also responsible for the appointment and dismissal of all other administrative officers at the institution, including vice presidents, dean, directors and the equivalents. All such other administrative officers serve without fixed terms and subject to the pleasure of the President of the institution and the aforesaid approval of the Executive Vice Chancellor. Additionally, the President (on the recommendation of the Dean) is responsible for the permanent or acting appointment of department

chairman, department heads, and their equivalents. Such department chairmen, department heads and their equivalents serve without fixed terms and subject to the pleasure of the President of the institution. (Many of these responsibilities will normally be delegated by the President to the Deans, Executive Vice Presidents, or other appropriate individuals or groups.) The Board of Regents endorses the principle of reasonable faculty and student consultation in the selection of administrative officers of the institution, and the primary operating units, and expects the President, as he or she deems appropriate, to consult in the selection process with the representatives of the faculty and student body. The President, however, shall not be bound by nominations to administrative positions by campus selection committees.

The Dean

The Dean of each school within UTHealth reports to the President and is the leading academic administrator in his or her profession on the campus. The Dean is expected to provide leadership in the profession, school, UTHealth, and community regarding relevant educational and scientific issues and to ensure, along with the other school administrators, the excellence of teaching, research, and service programs of their school.

The President delegates authority and responsibility to the Dean within the limits set by the Regents' Rules and Regulations. The authority and responsibility of the Dean is to provide administrative leadership for the schools and to develop plans for the future. In consultation with the faculty, the Dean will advise the President on faculty appointments and promotion and tenure decisions; develop, propose, and administer the School budget including individual salaries; administer the admissions of students; administer the design, implementation and evaluation of the curriculum; determine the progress of students through school; and recommend students for graduation. The Dean is expected to promote an environment conducive to the academic goals and objectives of the faculty, including the development of human resources (students, faculty, and other employees),

the development and dissemination of new knowledge and, where appropriate, the delivery of service. In most instances, the Dean is also expected to support faculty judgment in areas where they have a major role.

The Dean is a major administrative officer of UTHealth and as such is expected to support the President and his or her staff in carrying out the functions of the President's Office. The Dean sits on the Executive Council and reviews all Center-wide policies before implementation and periodically thereafter. The Dean is in a position to bring his or her concerns, and those of the faculty, about Center-wide policies to the President and has the responsibility to do so; on the other hand, the Dean has the responsibility to explain Center-wide policies to the faculty and to implement those policies once they are in place.

The Faculty

The duties of the faculty of UTHealth include:

- Teaching, advising, and disseminating knowledge;
- Studying, investigating, discovering, and creating;
- Performing curricular tasks ancillary to teaching and research, including serving on faculty committees, attending to administrative and disciplinary tasks, and promoting diligence and honest work in the student body;
- Influencing and serving beneficially students and citizens in various extracurricular ways; and
- When appropriate, advising the Deans, President and Board or Regents on matters bearing on the academic programs of the university.

Members of the teaching staff are also expected to be available to discuss academic issues with students on a regular basis. Each faculty member's performance as a teacher, as a scholar, as an administrator, and as an individual is valued greatly by the university, for in these four ways its work is chiefly done.

Faculty members are entitled to full freedom in research and in the publication of the results, subject to the ethical requirements of the institution and the adequate performance of other academic duties. They are also entitled to freedom in the classroom in discussing their subject but are expected not to introduce controversial matters which have no relation to their subject.

It is a specific and important duty of the faculty member to become acquainted with and to conform to all the rules and regulations relating to faculty and the proper and orderly discharge of their work that are set forth in the Regents' Rules and Regulations and the institutional Handbook of Operating Procedures. It is also the specific duty of each member of the teaching staffs to consider the regulations and the routines in conforming to them and to propose what seem to be desirable changes in these regulations and routines to the appropriate faculty or official. Every member of a teaching staff has the right to propose changes in policies and procedures and to present arguments in support thereof. Every voting member of any faculty also has the right and the duty to propose changes and to participate in debate in faculty meetings. However, for communications with the Legislature and other state agencies, the Board of Regents is the only proper channel through which recommendations concerning the administration of the System, as a whole or in any of its parts, should reach the Legislature or other state agencies or officials.

The faculty also has a duty to cooperate with the administration in carrying out the purposes and policies of the Board of Regents. At the same time, administrative officers are expected to listen with an open and appreciative mind to criticisms and suggestions coming to them from members of the faculty.

The faculty shall have a major role in the governance of their respective institutions in the following areas:

- General academic policies and welfare;
- Requirements for admission and graduation;
- Approval of candidates for degrees;
- Curriculum and subject matter;
- Student life as it relates to the educational and professional process;

- Honors and scholastic performance generally;
- Research;
- Faculty rules of procedure; and
- Faculty development and status.

The administration should support faculty recommendations in these areas except for those circumstances where there are compelling reasons that should be communicated to the faculty. Financial and resource limitations, delegated administrative responsibilities, the time element, and the policies of other groups, bodies, and agencies having jurisdiction over the institution may set limits to acceptance and implementation of faculty advice.

Faculty also have a major role in certain matters related to faculty status such as promotions and tenure. The delegation of significant responsibility to faculty for status is based upon the premise that faculty judgment is central to general educational policy. Furthermore, scholars in a particular field or activity have the chief competence for judging the work of their colleagues, and, in such competence, it is implicit that responsibility exists for both adverse and favorable judgments. Therefore, faculty input is also important in consideration of appointments and reappointments. The Board of Regents, President, and Dean should, on questions of faculty status, as in other matters where the faculty has a major role concur with the faculty judgment except in rare instances and for compelling reasons that should be stated in detail.

The faculty should also participate in the determination of policies and procedures governing salary increases and in the selection of a chairman or department head. The chairman or department head should be recommended by the Dean for appointment following an established process which includes consultation with members of the department and of related departments.

The specific ways in which faculty participate in governance of the school will depend upon the particular school's organization and culture. Participation may be facilitated by meets of all faculty members and formation of committees.

At the institutional level, the Interfaculty Council serves as the agency for faculty participation in governance.

There should be clearly established procedures which ensure appropriate communication among the faculty, administration and Board of Regents and which are clearly understood. Examples of procedures which may be used are: circulation of memoranda/reports by the Board of Regents, administration, and faculty committees: joint ad hoc committees; standing liaison committees; membership of faculty members on administrative bodies; and membership of faculty members on Boards.

The Students

Students have primary responsibility for the attainment of their own educational goals. In the classroom, students are responsible for learning the content of any course of study and for maintaining standards of academic performance established for each course in which they are enrolled. Students are expected and required to obey the law, to comply with institutional system rules and to observe standards of conduct appropriate for an academic institution. Toward that end, each student has the responsibility to know and observe the University regulation concerning student conduct and discipline.

As members of the academic community, students have a distinctive role which qualifies them to share in the exercise of responsible authority on campus; the exercise of that authority is part of their education. Students are encouraged to individually or collectively express their views on institutional policy and on matters of general interest to the student body. These areas may include, but are not limited to, the following:

- Admission policies;
- Academic programs;
- Academic courses and staff;
- Academic evaluation;
- Academic environment;
- Extracurricular activities;

- Student regulations;
- Student discipline; and
- Other Institutional concerns impacting students.

Student involvement in institutional government may include membership – voting and nonvoting – on institutional and school committees and councils. Where they do not hold memberships on these bodies, students may place matters for action on their agendas and are entitled to receive a prompt report on the disposition of those matters.

At the institutional level, the Student InterCouncil is the recognized forum of student opinion and the primary vehicle for student participation in the governance of the institution. The specific ways in which students participate in the governance of their school will depend upon each school's organization and culture.