HSC OP: 10.11, Delegation of Authority by the President

PURPOSE: The purpose of this Health Sciences Center Operating Policy and Procedure (HSC OP) is to establish a clear delegation of authority to selected senior administrative officers to facilitate the management of Texas Tech University Health Sciences Center (TTUHSC) matters by permitting as many decisions as possible to be made at lower levels in the chain of command, and thereby to permit the President to devote proper time to items of major executive concern.

REVIEW: This HSC OP will be reviewed on June 1 of each even-numbered year (ENY) by the Executive Vice President for Finance and Administration (EVPFA) with recommendations for revision forwarded to the President by July 1.

POLICY/PROCEDURE:

1. Authority.
   a. The Legislature in Chapter 110.03 of the Texas Education Code, delegates to the Board of Regents of the Texas Tech University System the power and authority to govern, control and direct the policies of TTUHSC.
   b. The Board of Regents exercises its powers and authorities in the governance of TTUHSC through the Chancellor.
   c. The Chancellor has delegated to the President of TTUHSC the authority for management, supervision and direction of areas and activities within the administrative area for which he is responsible, and the authority to approve transactions within the administrative area for which he is responsible, in accordance with established TTUHSC policies and procedures, policies of the Board of Regents (Regents' Rules), the General Appropriations Act, and State and Federal statutes.
   d. It is the policy of the President to delegate specified authority to selected administrators in order to facilitate the management of TTUHSC while still retaining the overall responsibility and accountability vested in the President by the Chancellor and the Board of Regents. These administrators may make further delegation to heads of activities under their jurisdiction; however, an individual to whom the President has delegated authority is still primarily responsible, irrespective of any further delegation by the administrator to subordinate officers.

2. Personnel. The President delegates to the Executive Vice Presidents, the Vice Presidents, and the Deans the authority to approve the following transactions within the administrative area for which the recipient of the delegation is responsible, in accordance with established TTUHSC personnel policies and procedures, the appropriate classification system, the TTUHSC pay plan, approved budget allocations, Regents' Rules, the General Appropriations Act and state and federal statutes.
   a. Appointment of TTUHSC Personnel. Appointment to non-faculty positions will be in accordance with OP 70.11. The President delegates the power to appoint faculty to the Deans of the health professional schools; however, the President retains the authority to approve faculty employment agreements in excess of four years in accordance with Regents’ Rules. The power and authority to appoint permanent vice presidents and deans are retained by the President.
b. **Salary and Compensation for TTUHSC Personnel.** The President delegates the authority to adjust salary and compensation for non-faculty personnel in accordance with the provisions in OP 70.11; however, the President retains the authority to approve adjustments to the salaries of the Executive Vice Presidents, Vice Presidents, and Deans of the health professional schools.

The President delegates the authority to adjust salary and compensation for faculty personnel to the respective Dean of the health professional school.

The President delegates to the EVPFA the authority to approve adjustments to an employee’s total salary or wage rate when such an adjustment is 10 percent or more per annum and the per annum increase is an amount that is more than $2,000 and not the result of a bona fide promotion.

The President delegates to the appropriate Dean/Vice President (after review and approval by Human Resources) the authority to approve adjustments to an employee’s salary and compensation when the increase was not budgeted in the current Fiscal Year Operating Budget.

No other persons of the institution shall have either expressed or implied authority to fix salary or compensation for any personnel of the institution.

c. **Change of Status of TTUHSC Personnel.** The President delegates the authority to approve the change of status of TTUHSC non-faculty personnel in accordance with the provisions in OPs 70.11 and 70.24 provided such changes are within existing budgets in the current Fiscal Year Operating Budget.

To ensure compliance with *Regents’ Rules* and TTUHSC policies, all salary adjustments and change of status for faculty employees are to be reviewed and approved by the Deans of the health professional schools.

d. **Approval of Request for Outside Employment.** The President delegates the authority to approve requests for outside employment by TTUHSC personnel in accordance with the provisions within this section.

e. **Suspension and Disciplinary Action Against TTUHSC Personnel.** The President delegates the authority to suspend or take appropriate disciplinary action against personnel of TTUHSC in accordance with the provisions in Section 2 and rules, regulations, court decisions, and Texas and U.S. Constitutional restraints.

Any action under this section involving classified, professional or administrative personnel must have prior review by the Assistant Vice President for Human Resources and, in unusual situations, further review by General Counsel. Also, any action under these terms involving faculty personnel must have prior review by General Counsel.

f. **Acceptance of Resignation of TTUHSC Personnel.** The President delegates authority to accept the resignations of non-faculty personnel in accordance with the provisions of OP 70.31. The President delegates the authority to accept the resignations of faculty to the Dean of the appropriate health professional school.

g. **Termination of Employment of TTUHSC Personnel.** The President delegates the authority to approve the termination of employment of TTUHSC personnel not holding tenure in accordance with the provisions within this section and institutional policy for discipline and discharge. The authority to approve the termination of employment of TTUHSC personnel holding tenure rests with the Board of Regents.
The authority to approve the termination of employment of TTUHSC personnel not holding tenure may be delegated to the Dean or Vice President. Any action under this section, involving classified, professional or administrative personnel, must have prior review by the Assistant Vice President for Human Resources and, in unusual situations, further review by General Counsel. Also, any action under this section involving faculty personnel must have prior review by General Counsel.

h. **Compliance with Personnel Policy.** The President retains the authority and responsibility for:

1. Monitoring and assuring compliance with all TTUHSC personnel policies and procedures which pertain to faculty employees;
2. Interpreting TTUHSC personnel policies and procedures written specifically for faculty employees; and
3. Approving exceptions to TTUHSC personnel policies and procedures pertaining to faculty employees.

The President delegates the following responsibilities to the EVPFA:

1. Monitoring and assuring compliance with all TTUHSC personnel policies and procedures written generally for all employees and that are written specifically for non-faculty employees;
2. Interpreting personnel policies and procedures written generally for all employees and that are written specifically for non-faculty employees; and
3. Approving exemptions to personnel policies and procedures written generally for all employees and that are written specifically for non-faculty employees.

3. **Institutional Funds.**

a. **Moving Expenses for Persons to be Employed by TTUHSC.** The President delegates to the Executive Vice Presidents, the Vice Presidents, and the Deans the authority to approve the payment of moving expenses incurred by persons to be employed by TTUHSC within their respective administrative areas of responsibility, provided, however, that such payment of expenses shall not be made from appropriated state funds and further provided that:

1. The authority to approve the payment of moving expenses must be administered with sound discretion and within allocated and available resources; and
2. Payment of moving expenses is not to be used as a blanket recruitment incentive for prospective employees.

These administrators may make further delegation to heads of activities under their jurisdiction; however, an individual to whom the President has delegated authority is still primarily responsible, irrespective of any further delegation to subordinate officers.

b. **Receipt, Accounting, and Disbursement of Institutional Funds.** The President delegates to the EVPFA the authority to control and approve procedures for receipt, accounting, and disbursement of all institutional funds, including but not limited to the collection of all tuition, fees, and charges in accordance and compliance with all applicable state statutes, rules and regulations pertinent thereto and all applicable policies, rules and regulations of the Board of Regents.

c. **Contracting and Purchasing Goods and Services.** The President delegates to the EVPFA the authority to promulgate policies and procedures for contracting and purchasing of all required supplies, equipment, and services which are used by the institution in accordance and compliance with established TTUHSC policies and procedures, Regents’ Rules, the General Appropriations Bill, and state and federal statutes. Under the provisions of Regents’ Rules for Contracting Policies and Procedures, the President hereby delegates to the EVPFA the authority to approve and sign contracts where, by board policy, the President is required to approve and sign.
All heads of administrative areas of responsibility, including Vice Presidents, Deans, Chairpersons and Directors, are directed to initiate and process all purchase orders for such items through the Purchasing Office and all contracts through the Office of Contracting unless exempted by written TTUHSC procedures, and additionally, to process contracts on significant or unusual items through the Office of General Counsel.

d. **Budget Revisions.** The President delegates to the EVPFA the authority, as granted to the President in *Regents’ Rules*, to review and approve/sign all budget revisions requiring presidential review and approval.

4. **Executive Vice President (EVP) & Provost.** The President delegates to the EVP and Provost the authority for management, supervision, and direction of the areas under his/her control, including the following areas and activities of the institution, unless *Regents’ Rules* require Chancellor or Board of Regents approval:

   a. Support and organize searches for deans and department chairs at the institutional level;
   b. Determine appropriate criteria and procedures for the appointment, promotion and tenure of faculty in accordance with Texas Tech University System’s policies and procedures and the *Regents’ Rules*;
   c. Development and maintenance of policies and procedures for faculty compensation, assignment of resources, fairness in evaluation, and the administration of enrichment and mentoring programs for faculty members;
   d. Facilitate the development of strategic initiatives affecting the clinical service, education and research missions of the university, and
   e. Oversight of the Institutes to ensure collaboration between the academic, healthcare system, and business components and functions of the institution.

5. **Executive Vice President for Finance and Administration (EVPFA).** The President delegates to the EVPFA the authority for management, supervision, and direction of the areas under his/her control, including the following areas and activities of the institution, unless *Regents’ Rules* require Chancellor or Board of Regents approval:

   a. **Finance and Administration:**
      (1) Institutional financial planning, accounting and fiscal management;
      (2) Business Affairs, including the services of Accounting, Contracting (including Bookstore Contract), Property Inventory, Purchasing, Payment Services (Travel, Accounts Payable, Purchasing Card), Student Business Services (Bursar, Traffic and Parking), and General Services (Printing Center, Copy/Mail Services, Surplus Property, Shipping/Receiving, Electronic Imaging, Vehicle Rental, Fleet Management), and the financial analysis and reporting for these services;
      (3) Budgeting Services, including the services of the Budget Office, responsible for institutional budget preparation, operation, and control; and preparation of legislative appropriations requests;
      (4) Personnel administration including Wage and Salary, Benefits and Recruiting and maintaining institutional personnel records, and Training;
      (5) Physical Plant and Support Services provided by Plant Operations including Lock Shop, Engineering Services including Energy Management and Facilities Information, Planning, Design & Construction, Grounds Maintenance, Safety Services, Environmental Services, management of outlying campuses in Lubbock such as Texas Tech Medical Center Southwest (TTMCSW), and Regional Campuses as it pertains to the campus facilities and operations for the services listed above.
      (6) Historically Underutilized Business (HUB) Director – responsible for institutional compliance with the agency’s good faith effort criteria, HUB reporting requirements, contract administration, and marketing and outreach efforts to increase HUB participation;
   b. Approval of all personnel actions including approval of new positions, salary increases, reclassifications, etc.;
   c. Approval of contracts and budget revisions; and
   d. Approval of institutional memberships.
6. **Senior Vice President for Research.** The President delegates to the SVPR the authority for management, supervision, and direction of the Research division, including the following areas and activities of the institution under his/her control:

   a. Office of Sponsored Programs;
   b. Research Integrity Office, including IACUC Administration, IRB Administration and Compliance;
   c. Laboratory Animal Research Center;
   d. Safety Services activities that apply to research; and
   e. Signatory authority on all grants, contracts, confidentiality agreements, material transfer agreements and cooperative agreements from either the public or private sectors for research, instructional, and service projects. This delegation shall not be construed to extend to purchasing agreements or agreements involving the use of TTUHSC facilities or equipment.

7. **Executive Vice President for Rural and Community Health.** The President delegates to the Executive Vice President and Director of the F. Marie Hall Institute for Rural and Community Health the authority for management, supervision and direction of the areas under his/her control pertaining to a broad array of rural and community health initiatives. Prominent among these delegations are the West Texas Area Health Education (AHEC) Programs, the Telemedicine, Wellness, Intervention, Triage and Referral (TWITR) Program, the TTUHSC Telemedicine Programs including the Frontiers in Telemedicine Laboratory, and rural health initiatives in research, education and service that involve technological innovations, policy formulation, and demonstration projects that depend on synergistic partnerships across TTUHSC and with stakeholders across West Texas and beyond. The EVP for Rural and Community Health is the primary officer for population health initiatives of TTUHSC.

8. **Deans of the Health Professional Schools.** The President delegates to the deans of the health professional schools the authority to direct and coordinate the health professional schools and their academic and operational affairs, including faculty affairs, clinical affairs, student affairs, graduate programs, continuing education programs, faculty practice plans and resident physician training programs.

9. **Executive Vice President for Academic Affairs (EVPAA).** The President delegates to the EVPAA the authority for management, supervision and direction of the areas under his/her control, including the following areas and activities of the institution:

   a. Student Services, Student Financial Aid, the Registrar, and all related student activities;
   b. Libraries of the HSC, including information systems, public and technical services, and extramural services;
   c. Classroom Support;
   d. Office of Institutional Planning and Assessment;
   e. Office of Institutional Health;
   f. Office of Interprofessional Education; and
   g. TTUHSC Writing Center.

10. **Information Technology.** The President delegates to the Vice President for Information Technology/Chief Information Officer the authority for management, supervision, and direction for the following areas and activities of the institution:

    a. Role of Institutional Resources Manager (IRM) in accordance with Texas Administrative Code, Title 1, Part, 10, Chapter 211C.
    b. Information Security, Technology and Information Services and all information resource services performed including administrative, research, and academic data processing, and development of institutional long range plans for information resources; and
    c. Continuing and distance education services and all related infrastructure and services.
11. **Institutional Compliance.** The President delegates to the Institutional Compliance Officer (ICO) the authority for management, supervision and direction of the institutional compliance program as outlined in OP 52.01, with primary responsibility for clinical billing and HIPAA privacy compliance.

12. **Correctional Managed Health Care.** The President delegates to the Dean of the School of Medicine the authority to provide direction to the Correctional Managed Health Care program, including the delivery of health care services to offenders located within Texas Department of Criminal Justice (TDCJ).

13. **Communications and Marketing.** The President delegates to the Executive Director for Communications and Marketing the authority for management, supervision and direction of the areas under his/her control, to include:

   a. Responsibility for all components of communications and marketing, including the centralization of regional campuses, and
   b. Developing and implementing strategic communications to improve the HSC’s branding and marketing image.

14. **Development and Alumni.** The President delegates to the Associate Vice Chancellor for Development the authority for management, supervision and direction of the areas under his/her control, to include collaborating to effectively provide service and support to the institution, our alumni, and the communities.

15. **Authority to Act When the President is Out of Town.**

   a. The duties of the President will necessitate absence from the campus. During an absence, and if the President is not in instant reach, an emergency may arise that requires action and any delay could cause undesirable effects. Under this situation, the President authorizes, in the role as Acting President, the EVP & Provost to act on academic matters, and the EVPFA to act on administrative matters. However, the President can normally be reached promptly through his office staff, so if a matter arises that needs his attention, he is to be contacted as soon as possible and informed of the emergency. When this contact has been established, the role of Acting President ceases. In the absence of the Executive Vice Presidents, one of the other Vice Presidents or Deans will be named on a case by case basis.

   b. The Acting President has the authority to handle emergency situations in accordance with the standard operating procedures of the institution and presidential directives applicable to the situation. The Acting President is expected to work with other Vice Presidents, Deans, or appropriate officers in a participative manner when an issue involves their areas of responsibilities and is expected to be strongly guided by the judgments of those responsible individuals.