

## AGENDA

---

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS  
Standing Committees/Regular Meeting**

Date: Thursday, June 13, 2024  
Time: 9:00 AM  
Place: Texas Southern University - Library Learning Center, 5th Floor, 3100 Cleburne Street,  
Houston, TX 77004

---

Chair: Brandon L. Simmons  
Vice Chair: James M. Benham  
Second Vice Chair: Stephanie D. Nellons-Paige  
Secretary: Marilyn A. Rose

---

**I. Call to Order**

**II. Roll Call**

**III. Prayer**

**IV. Open Forum**

**V. Conflict of Interest**

**VI. Chairman's Comments**

**VII. Board Business**

VII.A. Approve Minutes for past meetings of the Board of Regents

Action Requested: Approval

VII.B. Presentation of a Proclamation honoring former Student Regent Dylan C. Getwood

Action Requested: Information

VII.C. Oath of Office Administered to Student Regent Taylor L. Getwood

Action Requested: Information

**VIII. Academic Affairs, Research and Student Life**

**Presenters: Regent Richard A. Johnson & Dr. Carl B. Goodman, Provost/Senior Vice President  
of Academic Affairs**

VIII.A. Request Approval to Negotiate and Execute an Agreement for a Cybersecurity Lab at JHJ  
School of Business

Action Requested: Approval

VIII.B. Request Approval to Renew Affiliation Agreement with the Houston Academy of Medicine-  
Texas Medical Center Library  
Action Requested: Approval

VIII.C. Candidate for Rank, Tenure and Promotion FY 2023-2024  
Action Requested: Approval

VIII.D. Distinguished Professors Candidates  
Action Request: Information

**IX. Administration and Finance**

**Presenters: Regent James M. Benham & Mr. John Pittman, Interim Chief Financial Officer/Vice President of Business & Administration**

IX.A. Request to Modify Banking Resolution and Signature Cards  
Action Requested: Approval

IX.B. Request Approval to Negotiate and Execute Contracts for Student Health Insurance Plans  
Action Requested: Approval

IX.C. Request Approval to Negotiate and Execute a Contract for Cybersecurity Insurance  
Action Requested: Approval

IX.D. Request Approval to Renew Ellucian's Hosted Oracle Subscription Access License (HOSAL)  
Action Requested: Approval

IX.E. Request Approval to Outsource Managed Call Center (Addendum)  
Action Requested: Approval

IX.F. Approval Request for Landscaping Services  
Action Requested: Approval

IX.G. Endowment Performance Update (April 30, 2024)  
Action Requested: Information

**X. Bylaws and Policies**

**Presenters: Regent Pamela A. Medina & Mr. Charlie T. Nhan, General Counsel**

X.A. Request Approval to Amend Board Bylaws to Add Audit Certification for Budget Items and to Waive Section 9.1 for this Amendment  
Action Requested: Approval

X.B. Request Approval to Update MAPP Policy 05.01.01  
Action Requested: Approval

X.C. Request Approval on the Senate Bill 17 Proposed Policy  
Action Requested: Approval

**XI. Personnel and Litigation**

**Presenters: Regent Caroline Baker Hurley & Mr. Charlie T. Nhan, General Counsel**

XI.A. Request Approval to Renew the Contract for Consulting Services in the Division of University Advancement  
Action Request: Approval

**XII. Executive Session**

XII.A. Texas Government Code - Section 551.071 - Consultation with University Attorneys on any matter in which the duty of the attorneys to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meeting Act, including any matter listed on this notice/agenda, pending or contemplated litigation, and proposed settlement agreements.

XII.B. Texas Government Code - Section 551.072 - Deliberations concerning Purchase, Lease or Value of Real Property.

XII.C. Texas Government Code - Section 551.073 - Deliberations about Negotiated Contracts for Prospective Gifts or Donations.

XII.D. Texas Government Code - Section 551.074 - Personnel Matters: Deliberations Concerning the Appointments, Duties, Responsibilities, Evaluations or Dismissal of Personnel (including but not limited to the Regents, President, General Officers, and Executive Management Employees).

**XIII. Reconvene in Open Session to Consider Actions on Executive Session Items as Necessary**

**XIV. Adjourn**

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Board Business

**ITEM:** Approve Minutes for past meetings of the Board of Regents

**DATE PREVIOUSLY SUBMITTED:** N/A

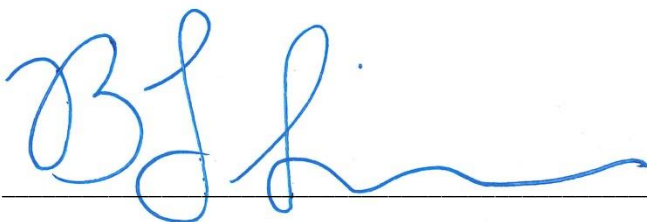
**SUMMARY:**

- Special Called Meeting on April 20, 2024
- Standing Committee/Regular Meeting on April 25, 2024
- Special Called Meeting on May 8, 2024
- Standing Committee/Regular Meeting on May 16, 2024

**SUPPORTING  
DOCUMENTATION:** Draft Minutes

**FISCAL NOTE:** No Fiscal Impact

**ACTION REQUESTED:** Approval



**BOARD CHAIR**

Brandon L. Simmons

6/6/24

**DATE**



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
SPECIAL CALLED BOARD MEETING  
Saturday, April 20, 2024**

---

**I. Call to Order**

The Board of Regents of Texas Southern University held a Special Called Board meeting on Saturday, April 20, 2024. Mr. Brandon L. Simmons, Chairman of the Board, called the meeting to order at 8:02 A.M.

**II. Roll Call**

The following Board Members were in attendance and constituted a quorum:

Mr. Brandon L. Simmons, Chairman  
Mr. James M. Benham  
Ms. Stephanie D. Nellons-Paige, *virtual*  
Ms. Marilyn A. Rose  
Ms. Caroline Baker Hurley  
Dr. Richard A. Johnson III  
Ms. Pamela A. Medina, *virtual*  
Mr. Dylan C. Getwood, Student Regent, *nonvoting*, (arrived at 9:00a.m.)

**III. Conflict of Interest Statement**

Chairman Simmons reminded the board members of the Conflict of Interest statement, emphasizing the importance of acknowledging any conflicts. Members were instructed to complete the conflict of interest form and submit it to the Board Relations office.

**IV. Board Business**

- Item A: Consider Approval of Additional Letter Agreement with Witt/Kieffer, Inc. Related to the Presidential Search  
*[This item was withdrawn from the agenda]*
- Item B: Discussion and Possible Selection of the Sole Finalist for the President of Texas Southern University  
*[This item was withdrawn as an approval item]*

**V. Executive Session**

The Board entered into Executive Session for a discussion on specific matters as outlined in the Texas Government Code, Section 551.071 through 551.074 at 8:03 A.M.

**VI. Reconvene and Roll Call**

The Board reconvened in Open Session at 4:33 PM with another roll call.

The following Board Members were in attendance and constituted a quorum:

Mr. Brandon L. Simmons, Chairman  
Mr. James M. Benham



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
SPECIAL CALLED BOARD MEETING  
Saturday, April 20, 2024**

---

Ms. Stephanie D. Nellons-Paige  
Ms. Marilyn A. Rose  
Ms. Caroline Baker Hurley  
Dr. Richard A. Johnson III  
Mr. Dylan C. Getwood, Student Regent, *nonvoting*

The following Board Members were absent:

Ms. Pamela A. Medina

**VII. Adjourn**

Motion to adjourn the Special Called Board meeting by Chairman Simmons at 4:34 P.M.;  
2nd by Regent Benham; the motion passes.

**SIGNATURE OF APPROVAL**

I certify that the foregoing minutes constitute a true, correct, and complete record of the Special Called Board meeting of the Board of Regents of Texas Southern University, held on April 20, 2024.

---

Faith Ruiz  
Executive Director  
Board Relations Office

---

Date Approved by the Board

---

Marilyn A. Rose  
Secretary  
Board of Regents



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
REGULAR BOARD MEETING  
Thursday, April 25, 2024**

---

**I. Call to Order**

The Board of Regents of Texas Southern University held a regular meeting on Thursday, April 25, 2024. Mr. Brandon L. Simmons, Chairman of the Board, called the meeting to order at 9:16 AM. The meeting convened at Texas Southern University, Library Learning Center, 3100 Cleburne Street, Houston, Texas 77004.

**II. Roll Call**

The following Board Members were in attendance and constituted a quorum:

Mr. Brandon L. Simmons, Chairman  
Mr. James M. Benham  
Ms. Stephanie D. Nellons-Paige, *virtual*  
Ms. Marilyn A. Rose  
Ms. Caroline Baker Hurley  
Dr. Richard A. Johnson III

The following Board Members were absent:

Ms. Pamela A. Medina  
Mr. Dylan C. Getwood, Student Regent, *nonvoting*

**Other Attendees:** Interim President Dr. Mary Evans Sias, Raijanel Crockem, Carl Goodman, Kevin Granger, Melanie Jackson, Latonya Joseph, Lisa McBride, Charlie Nhan, John Pittman, Georgia Provost, Faith Ruiz, Chris Wilson (virtual)

**III. Prayer**

Chairman Simmons invited Ms. Georgia Provost to announce that Bishop C.D. Boulden would deliver the prayer. Following the announcement, Bishop Boulden led the attendees in a spoken prayer.

**IV. Open Forum**

Chairman Simmons reminded the speakers of the Open Forum rules that are governed by the Board Bylaws and reiterated the significance of being respectful.

The following individuals participated in the Open Forum:

- Dr. Rasoul Saneifard, Faculty Senate Chair
- Ms. Ioke Frank-Williams, Staff Counsel Chair
- Dr. Anjanette Wyatt
- Ms. D'Mya McCray



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
REGULAR BOARD MEETING  
Thursday, April 25, 2024**

---

**V. Conflict of Interest Statement**

Chairman Simmons addressed the matter of conflict of interest with the Board members, inquiring if any member had a conflict of interest to disclose regarding the items on today's agenda. Observing no such disclosures, he proceeded with the agenda.

**VI. Chairman's Comments**

Chairman Simmons gave a few special announcements regarding recent happenings at TSU, to include:

- TSU has partnered with United Aviate, United's pilot career development program, to offer former and current students and Certified Flight Instructors a secure path to United Airlines.
- The Bullard Center for Environmental and Climate Justice and Clean Energy Fund of Texas was awarded \$156 million by the EPA's Solar for All program.
- TSU was featured by Scripps News (national) for its response to FAFSA rollout challenges.

Dr. James White also gave a few brief remarks after being acknowledged by Chairman Simmons.

**VII. Board Business**

- Item A: Approval for past meeting minutes of the Board of Regents  
*[Motion to approve by Chairman Simmons; 2nd by Regent Benham; Motion passes]*

- Item B: Discussion and Selection of the Sole Finalist for the President of Texas Southern University

Chairman Simmons motioned to proceed with the discussion, presenting the sole finalist, Vice Admiral James Crawford III, along with his background and qualifications for the presidency.

After presenting the background and qualifications of the sole finalist for the presidency, additional remarks were provided by the other Regents in attendance. Chairman Simmons then invited Vice Admiral James Crawford III to address the audience, during which he gave a few brief remarks.

*[Motion to approve by Chairman Simmons; 2nd by Regent Johnson; Motion passes]*

**VIII. Committee Reports**

**Academic Affairs, Research & Student Life – Dr. Richard Johnson**

Provost Goodman presented information on the following items for approval:

- Item A: Candidates for Rank, Promotion, and Tenure FY 2023-2024  
*[Motion to approve by Regent Johnson; 2nd by Regent Hurley; Motion passes]*



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
REGULAR BOARD MEETING  
Thursday, April 25, 2024**

---

- Item B: Request to Negotiate and Execute a Contract to Modernize the Access Control System for Campus Dormitories  
*[Motion to approve by Regent Johnson; 2nd by Regent Rose; Motion passes]*
- Item C: Request Approval to Negotiate and Execute the Purchase of an Inductively Coupled Plasma Mass Spectrometry (ICP-MS)  
*[Motion to approve by Regent Johnson; 2nd by Regent Benham; Motion passes]*
- Item D: Approval is Requested to Purchase Computers for the College of Science Engineering and Technology's Student Computer Lab  
*[Motion to approve by Regent Johnson; 2nd by Regent Benham; Motion passes]*
  - **Item D Action Item:** *Regent Benham asked Dr. Goodman for the percentage of our students who do not own a computer.*
- Item E: Request Approval to Negotiate and Execute Contract Renewals for Subscriptions and Databases with EBSCO, Elsevier & ProQuest for Library Learning  
*[Motion to approve by Regent Johnson; 2nd by Regent Hurley; Motion passes]*

**Administration & Finance – Mr. James Benham**

Mr. John Pittman presented the following items for approval:

- Item A: Approval is Requested to Execute a Contract for Banking Services for the University  
*[Motion to approve by Regent Benham; 2nd by Regent Johnson; Motion passes]*
- Item B: Approval is requested to Execute a Contract for Bookstore Operation Services  
*[Motion to approve by Regent Benham; 2nd by Regent Rose; Motion passes]*
- Item C: Approval is Requested to Execute a one-year Contract for Risk Management Services for the University  
*[The item has been removed from consideration by the administration.]*
- Item D: Approval is requested to Increase Housing & Dining Rates for Fiscal Year 2025  
*[Motion to approve by Regent Benham; 2nd by Regent Johnson; Motion passes]*
- Item E: Approval is requested to Simplify Texas Southern University's Endowment Managers  
*[Motion to approve by Regent Benham; 2nd by Regent Hurley; Motion passes]*

Mr. John Pittman was scheduled to present information on the following item:

- Item F: Presentation of FY24 Annual Financial Report by FORVIS (BKD)



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
REGULAR BOARD MEETING  
Thursday, April 25, 2024**

*[The item has been removed from consideration by the administration.]*

Mr. Chris Wilson virtually presented information on the following item:

- Item G: Endowment Performance & Update (February 29, 2024)

**Personnel and Litigation – Ms. Caroline Baker Hurley**

Mr. Charlie Nhan presented information on the following item for approval:

- Item A: Request Approval to Extend the Employment Contract for Men's Head Basketball Coach

*[Motion to approve by Regent Hurley; 2nd by Regent Johnson; Motion passes]*

**IX. President's Report**

Before delivering the President's Report, President Sias commenced by introducing the incoming SGA President, Katelyn Vault. She approached the podium and delivered a few brief remarks. Following her, the President acknowledged the outgoing Mr. & Miss TSU, Mr. Javion Cox and Miss Kynnedi Brown, who also came to the podium and shared a few remarks. Subsequently, the President introduced the incoming Mr. & Miss TSU, Mr. Jackie Edwards and Ms. Briana Turner, who greeted the audience with waves.

Following these introductions, Chairman Simmons offered a few brief remarks, expressing gratitude to the student leaders. He then extended an invitation to the Regents, the President, and the Royal Court to gather for a group photo.

After the group photo session, Dr. Crockem was invited to provide a summary of updates to the Board concerning Key Performance Measures at the University.

President Sias then presented the following informational item:

- Item A: President's Report

At the onset of her presentation, President Sias expressed commendations to VP Granger for the recent victory of the men's track and field team, securing the 2024 Indoor Championship and marking its 11th SWAC indoor title in school history. Following this recognition, VP Granger introduced several members of the team present at the meeting, along with Head Coach Clyde Duncan. They were subsequently invited to the podium to individually introduce themselves to the audience.

Another student, Mr. Kohl Crawford who is a rising junior, was honored as he was named one of 20 Harvard University Dubois Scholars recipients. Mr. Crawford also approached the podium and gave a few brief remarks.

- **President's Report Action Item:** *Regent Johnson requested that Ms. Melanie Jackson provide a written report of all demolition projects to the Regents and President.*



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
REGULAR BOARD MEETING  
Thursday, April 25, 2024**

---

**X. Consent Docket**

The following items were tabled until after Executive Session by Chairman Simmons:

- Item A: Student Accounts Receivable Write-Off
- Item B: Requesting Approval to Amend FY 24 Operating Budget for \$146,360,541
- Item C: Approval is requested to renew Commercial General Liability (CGL), General Liability Excess (GLX) and Internships & Professional Liability (IPL) Insurance
- Item D: Texas Southern University Fiscal Year 2025 Holiday Calendar

**XI. Executive Session**

The Board entered into Executive Session for a discussion on specific matters as outlined in the Texas Government Code, Section 551.071 through 551.074 at 11:55 A.M.

**XII. Reconvene and Roll Call**

The Board reconvened in Open Session at 2:21 P.M. with a roll call.

The following Board Members were in attendance and constituted a quorum:

Mr. Brandon L. Simmons, Chairman  
Mr. James M. Benham, Vice Chair  
Ms. Marilyn A. Rose, Secretary  
Ms. Caroline Baker Hurley  
Dr. Richard A. Johnson III  
Mr. Dylan C. Getwood, Student Regent, *Nonvoting*

The following Board Members were absent:

Ms. Stephanie D. Nellons-Paige, Second Vice Chair  
Ms. Pamela A. Medina

**XIII. Consent Docket**

Chairman Simmons presented the following items for approval:

- Item A: Student Accounts Receivable Write-Off
- Item B: Requesting Approval to Amend FY 24 Operating Budget for \$146,360,541
- Item C: Approval is requested to renew Commercial General Liability (CGL), General Liability Excess (GLX) and Internships & Professional Liability (IPL) Insurance
- Item D: Texas Southern University Fiscal Year 2025 Holiday Calendar

*[Motion to approve Items A, C and D collectively by Chairman Simmons; 2nd by Regent Benham; Motion passes]*



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
REGULAR BOARD MEETING  
Thursday, April 25, 2024**

---

*[With no objections, Item B was removed from the Consent Agenda for consideration at the next Special Called Board meeting by Chairman Simmons.]*

**XIV. Adjourn**

Motion to adjourn the regular board meeting by Chairman Simmons at 2:24 P.M.; 2<sup>nd</sup> by Regent Johnson; Motion passes.

**SIGNATURE OF APPROVAL**

I certify that the foregoing minutes constitute a true, correct, and complete record of the regular board meeting of the Board of Regents of Texas Southern University, held in Houston, Texas on April 25, 2024.

---

Faith Ruiz  
Executive Director  
Board Relations Office

---

Date Approved by the Board

---

Marilyn A. Rose  
Secretary  
Board of Regents



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
VIRTUAL SPECIAL CALLED BOARD MEETING  
Wednesday, May 8, 2024**

---

**I. Call to Order**

The Board of Regents of Texas Southern University held a Special Called Board meeting on Wednesday, May 8, 2024. Mr. Brandon L. Simmons, Chairman of the Board, called the meeting to order at 3:02 P.M.

**II. Roll Call**

The following Board Members were in attendance and constituted a quorum:

Mr. Brandon L. Simmons, Chairman  
Mr. James M. Benham, *virtual*  
Ms. Stephanie D. Nellons-Paige  
Ms. Marilyn A. Rose  
Ms. Caroline Baker Hurley  
Dr. Richard A. Johnson III  
Ms. Pamela A. Medina, *virtual*  
Mr. Dylan C. Getwood, Student Regent, *nonvoting, virtual*

**Other Attendees:** President Mary Evans Sias; Latonya Joseph; Lisa McBride; John Pittman; Faith Ruiz

**III. Conflict of Interest Statement**

Chairman Simmons addressed the matter of conflict of interest with the Board members, inquiring if any member had a conflict of interest to disclose regarding the items on today's agenda. Observing no such disclosures, he proceeded with the agenda.

**IV. Chairman's Comments**

Next, Chairman Simmons shared a few notable recent happenings at TSU, to include:

- Spring Commencement is this coming Saturday and there will be around 1,022 graduates.
- The Men's Track and Field won the SWAC Outdoor Championship.
- The 2024 Tiger Ball raised more than \$600,000 to support student scholarships.

**V. Executive Session**

The Board entered into Executive Session for a discussion on specific matters as outlined in the Texas Government Code, Section 551.071 through 551.074 at 3:06 P.M.

**VI. Reconvene and Roll Call**

The Board reconvened in Open Session at 4:46 P.M. with another roll call.

The following Board Members were in attendance and constituted a quorum:

Mr. Brandon L. Simmons, Chairman



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
VIRTUAL SPECIAL CALLED BOARD MEETING  
Wednesday, May 8, 2024**

---

Mr. James M. Benham, *virtual*  
Ms. Stephanie D. Nellons-Paige  
Ms. Marilyn A. Rose  
Ms. Caroline Baker Hurley  
Dr. Richard A. Johnson III  
Ms. Pamela A. Medina, *virtual*  
Mr. Dylan C. Getwood, Student Regent, *nonvoting, virtual*

**VII. Committee Reports**

**Administration and Finance – Mr. James Benham**

Mr. John Pittman presented information on the following item for approval:

- Item A: Requesting Approval to Amend FY 24 Operating Budget  
*[Motion to approve by Regent Benham; 2nd by Regent Nellons-Paige; Motion passes]*

**Personnel and Litigation – Ms. Caroline Baker Hurley**

President Sias presented information on the following item for approval:

- Item A: Approval is Requested for the Appointment of Mr. Charlie Nhan as General Counsel  
*[Motion to approve by Regent Hurley; 2nd by Regent Rose; Motion passes with 6 in favor and 1 opposed]*

**VIII. Adjourn**

Motion to adjourn the Special Called Board meeting by Chairman Simmons at 4:52 P.M.;  
2nd by Regent Rose; Motion passes.



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
VIRTUAL SPECIAL CALLED BOARD MEETING  
Wednesday, May 8, 2024**

---

**SIGNATURE OF APPROVAL**

I certify that the foregoing minutes constitute a true, correct, and complete record of the Special Called Board meeting of the Board of Regents of Texas Southern University, held on May 8, 2024.

\_\_\_\_\_  
Faith Ruiz  
Executive Director  
Board Relations Office

\_\_\_\_\_  
Date Approved by the Board

\_\_\_\_\_  
Marilyn A. Rose  
Secretary  
Board of Regents

DRAFT



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
VIRTUAL SPECIAL CALLED BOARD MEETING  
Thursday, May 16, 2024**

---

**I. Call to Order**

The Board of Regents of Texas Southern University held a Special Called Board meeting on Thursday, May 16, 2024. Mr. Brandon L. Simmons, Chairman of the Board, called the meeting to order at 9:14 A.M.

**II. Roll Call**

The following Board Members were in attendance and constituted a quorum:

Mr. Brandon L. Simmons, Chairman  
Mr. James M. Benham  
Ms. Stephanie D. Nellons-Paige  
Ms. Marilyn A. Rose  
Ms. Caroline Baker Hurley  
Dr. Richard A. Johnson III  
Ms. Pamela A. Medina, *virtual (left the mtg around 9:18am)*  
Mr. Dylan C. Getwood, Student Regent, *nonvoting, virtual*

**Other Attendees:** President Mary Evans Sias; Latonya Joseph; MonPatrick Manuel; Lisa McBride; John Pittman; Faith Ruiz

**III. Conflict of Interest Statement**

Chairman Simmons addressed the matter of conflict of interest with the Board members, inquiring if any member had a conflict of interest to disclose regarding the items on today's agenda. Observing no such disclosures, he proceeded with the agenda.

**IV. Chairman's Comments**

Next, Chairman Simmons shared a few notable recent happenings at TSU, to include:

- The Law School Hooding Ceremony took place on May 10, 2024. There were 158 graduates, including two with Masters of Immigration Law.
- TSU celebrated the Class of 2024 with a Commencement Ceremony on May 11, 2024. There were 1,022 graduates.
- The cw39 Houston highlighted an article announcing that TSU has reached a milestone with over 1,000 graduates.
- Spotlighted the Spring 2024 Valedictorian, MonPatrick Manuel, who is now a two-time valedictorian. His first was in the sixth grade.

**V. Executive Session**

The Board entered into Executive Session for a discussion on specific matters as outlined in the Texas Government Code, Section 551.071 through 551.074 at 9:20 A.M.



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
VIRTUAL SPECIAL CALLED BOARD MEETING  
Thursday, May 16, 2024**

---

**VI. Reconvene and Roll Call**

The Board reconvened in Open Session at 10:34 A.M. with another roll call.

The following Board Members were in attendance and constituted a quorum:

Mr. Brandon L. Simmons, Chairman  
Mr. James M. Benham  
Ms. Stephanie D. Nellons-Paige  
Ms. Marilyn A. Rose  
Ms. Caroline Baker Hurley  
Dr. Richard A. Johnson III  
Mr. Dylan C. Getwood, Student Regent, *nonvoting, virtual*

The following Board Member was absent:

Ms. Pamela A. Medina

**VII. Board Business**

Item A: Discuss and Approve the Appointment and Employment Contract of the Sole Finalist, Vice Admiral James W. Crawford, III, as President of Texas Southern University

*[Motion to approve by Chairman Simmons; 2nd by Regent Nellons-Paige; Motion passes]*

**VIII. Committee Reports**

**Administration and Finance – Mr. James Benham**

Mr. John Pittman presented information on the following item for approval:

- Item A: Renewal of the Hosted ServiceNow subscription through Precision Task Group  
*[Motion to approve by Regent Benham; 2nd by Regent Johnson; Motion passes]*

**IX. Executive Session**

The Board returned to Executive Session for a discussion on specific matters as outlined in the Texas Government Code, Section 551.071 through 551.074 at 10:43 A.M.

**X. Reconvene and Roll Call**

The Board reconvened in Open Session at 11:08 A.M. with another roll call.

The following Board Members were in attendance and constituted a quorum:

Mr. Brandon L. Simmons, Chairman  
Ms. Stephanie D. Nellons-Paige  
Ms. Marilyn A. Rose  
Ms. Caroline Baker Hurley  
Dr. Richard A. Johnson III



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
VIRTUAL SPECIAL CALLED BOARD MEETING  
Thursday, May 16, 2024**

---

The following Board Members were absent:

Mr. James M. Benham

Ms. Pamela A. Medina

Mr. Dylan C. Getwood, Student Regent, *nonvoting*

**XI. Spring 2024 Valedictorian**

Chairman Simmons introduced the Spring 2024 Valedictorian, MonPatrick Manuel, to the audience and congratulated him on his accomplishments.

Mr. MonPatrick Manuel approached the podium and delivered a few brief remarks as well as expressed his gratitude for the invitation to the meeting.

Following his remarks, the Regents and President Sias gathered with Mr. Manuel for a group photo.

**XII. Employment and Contract Extension**

Regent Johnson presented information on the following item for approval:

- Item A: Approval to continue Interim President Sias' employment, and her contract, through May 31

*[Motion to approve by Regent Johnson; 2nd by Regent Nellons-Paige; Motion passes]*

**XIII. Adjourn**

Motion to adjourn the Special Called Board meeting by Chairman Simmons at 11:19 A.M.; 2nd by Regent Hurley; Motion passes.



**MINUTES OF THE  
TEXAS SOUTHERN UNIVERSITY BOARD OF REGENTS  
VIRTUAL SPECIAL CALLED BOARD MEETING  
Thursday, May 16, 2024**

---

**SIGNATURE OF APPROVAL**

I certify that the foregoing minutes constitute a true, correct, and complete record of the Special Called Board meeting of the Board of Regents of Texas Southern University, held on May 16, 2024.

\_\_\_\_\_  
Faith Ruiz  
Executive Director  
Board Relations Office

\_\_\_\_\_  
Date Approved by the Board

\_\_\_\_\_  
Marilyn A. Rose  
Secretary  
Board of Regents

DRAFT

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Board Business

**ITEM:** Presentation of a Proclamation honoring former Student Regent Dylan C. Getwood

**DATE PREVIOUSLY SUBMITTED:** N/A

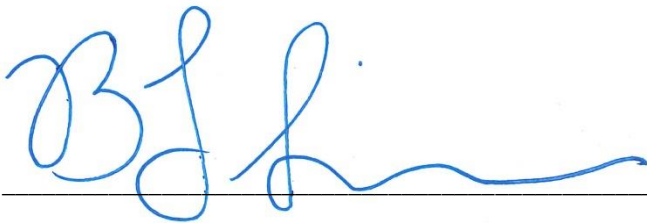
**SUMMARY:**

Presentation of a proclamation to acknowledge and recognize the Honorable Dylan C. Getwood for his dedicated time and services rendered as the Student Regent member of the Board of Regents at Texas Southern University.

**SUPPORTING  
DOCUMENTATION:** None

**FISCAL NOTE:** No Fiscal Impact

**ACTION REQUESTED:** Information



**BOARD CHAIR**

Brandon L. Simmons

6/6/24

**DATE**

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Board Business

**ITEM:** Oath of Office Administered to Student Regent Taylor L. Getwood

**DATE PREVIOUSLY SUBMITTED:** N/A

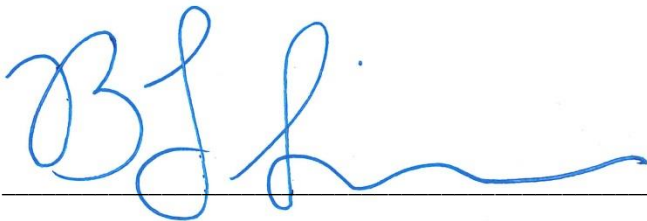
**SUMMARY:**

Administer the Oath of Office to Student Regent Mr. Taylor L. Getwood as a member of the Texas Southern University Governing Board.

**SUPPORTING  
DOCUMENTATION:** None

**FISCAL NOTE:** No Fiscal Impact

**ACTION REQUESTED:** Information



**BOARD CHAIR**

Brandon L. Simmons

6/6/24

**DATE**

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Academic Affairs, Research and Student Life

**ITEM:** Request Approval to Negotiate and Execute an Agreement for a Cybersecurity Lab at JHJ School of Business

**DATE PREVIOUSLY SUBMITTED:** N/A

**SUMMARY:**

Approval is requested to negotiate and execute an agreement to procure services to establish a Cyber Security Lab at JHJ School of Business.

This initiative is a significant step towards enhancing the university's cybersecurity capabilities.

It offers students the unique opportunity to gain invaluable hands-on training through cloud-based modules and practical experiences.

Moreover, it fosters a culture of collaboration among students, faculty, and industry professionals in the field of cyber security, thereby enriching the academic and professional environment at JHJ School of Business.

**SUPPORTING**

**DOCUMENTATION:** Scope of Work (Under Separate Cover)

**FISCAL IMPACT:** Not to exceed: \$250,000

**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



GENERAL COUNSEL

06/06/2024

DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



INTERIM CHIEF FINANCIAL OFFICER

06/06/2024

DATE



PRESIDENT

06/06/2024

DATE

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Academic Affairs, Research and Student Life

**ITEM:** Request Approval to Renew Affiliation Agreement with the Houston Academy of Medicine-Texas Medical Center Library

**DATE PREVIOUSLY SUBMITTED:** June 2023

**SUMMARY:**

Approval is requested to renew the affiliation agreement with the Houston Academy of Medicine-Texas Medical Center Library (HAM-TMC). HAM-TMC provides online access to medical and research databases and services for health practitioners, students, faculty, and the community. TSU's presence in the medical center aligns with other institutions offering healthcare programs.

The renewal of this agreement is exempt from bidding according to the Texas Government Code 2155.139.

HAM-TMC is not a HUB and Form 1295 is submitted.

The renewal period is September 1, 2024, through August 31, 2025.

**SUPPORTING**

**DOCUMENTATION:** Houston Academy of Medicine-Texas Medical Center Library Assessment Agreement (Under Separate Cover) (BOA0001493)

**FISCAL IMPACT:** Total cost not to exceed \$170,430  
University FOAP: 3330-23400-7201-50

**ACTION REQUESTED:** Administration Recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



06/05/2024

**GENERAL COUNSEL**

**DATE**

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



06/06/2024

**INTERIM CHIEF FINANCIAL OFFICER**

**DATE**



06/06/2024

**PRESIDENT**

**DATE**

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Academic Affairs, Research and Student Life

**ITEM:** Candidate for Rank, Tenure and Promotion FY 2023-2024

**DATE PREVIOUSLY SUBMITTED:** None

**SUMMARY:**

Board approval is requested to authorize the change in rank and/or award tenure to a faculty member in the academic unit of the University (Board Policy 21.06). These actions are based on the applicable recommendations of the faculty, the Provost, and with a final administrative decision by the Interim President of Texas Southern University.

**SUPPORTING**

**DOCUMENTATION:** Rank, Tenure, and Promotion Candidates (Under Separate Cover)

**FISCAL IMPACT:** Under Separate Cover

**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



GENERAL COUNSEL

06/04/2024

DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



INTERIM CHIEF FINANCIAL OFFICER

06/04/2024

DATE



PRESIDENT

06/06/2024

DATE

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Academic Affairs, Research and Student Life

**ITEM:** Distinguished Professors Candidates

**DATE PREVIOUSLY SUBMITTED:** N/A

**SUMMARY:**

The Administration would like to formally present two distinguished professor appointments in the College of Education. The prestigious title of distinguished professor is only conferred upon active tenured faculty who exhibit exceptional research, scholarship, or professional service at a national level. Additionally, they have served ten or more years at the University and have shown excellence in teaching and mentoring of junior faculty.

The appointment of a distinguished professor is grounded in the recommendations of the college/school and the Provost, and it culminates in the final administrative approval by the Interim President of Texas Southern University.

**SUPPORTING DOCUMENTATION:** Distinguished Professors Selections (Under Separate Cover)

**FISCAL IMPACT:** No fiscal Impact

**ACTION REQUESTED:** Information

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



GENERAL COUNSEL

06/06/2024

DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



INTERIM CHIEF FINANCIAL OFFICER

06/06/2024

DATE



PRESIDENT

06/06/2024

DATE

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Administration and Finance

**ITEM:** Request to Modify Banking Resolution and Signature Cards

**DATE PREVIOUSLY SUBMITTED:** 3/2024

**SUMMARY:**

Approval is requested to make the following changes to the depository accounts at J.P. Morgan Chase Bank and Unity National Bank:

<b>Current Signature Card</b>
1 Mary Evans Sias, Interim President 2 Carl Goodman, Provost and Sr. Vice President for Academic Affairs 3 John Pittman, Interim VP for Business and Finance/CFO
<b>Update/Addition to Current Signature Card</b>
1 Mary Evans Sias, Interim President - (Remove) 2 James W. Crawford III, President - (Add)

**SUPPORTING**

**DOCUMENTATION:** NONE

**FISCAL IMPACT:** No Fiscal Impact

**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



06/04/2024

**GENERAL COUNSEL**

**DATE**

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



06/04/2024

**INTERIM CHIEF FINANCIAL OFFICER**

**DATE**



06/06/2024

**PRESIDENT**

**DATE**

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Administration and Finance

**ITEM:** Request Approval to Negotiate and Execute Contracts for Student Health Insurance Plans

**DATE PREVIOUSLY SUBMITTED:** None

**SUMMARY:**

Approval is requested to negotiate and execute contracts for the Student Health Insurance Plans to include: Intercollegiate Sports Accident, International Student Accident & Sickness, and Domestic Student Health.

Sports Accident coverage is afforded to all student-athletes, student managers, student trainers, student coaches, and guest recruits as governed by the NCAA.

The hard waiver enrollment International Student Accident & Sickness plan covers non-immigrant International students registered for credit courses at Texas Southern University. All international students are charged a premium for the plan unless proof of comparable coverage is furnished.

Domestic Student Health insurance is a voluntary ACA-compliant option introduced in Spring 2021.

The plans afford coverage from August 1, 2024 until August 1, 2025.

**SUPPORTING**

**DOCUMENTATION:** Student Health Insurance Renewal Plan (Under Separate Cover)  
(BOA0001497)

**FISCAL IMPACT:** Not to Exceed: \$2,000,000

**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



GENERAL COUNSEL

06/05/2024

DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



INTERIM CHIEF FINANCIAL OFFICER

06/05/2024

DATE



PRESIDENT

06/06/2024

DATE

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Administration and Finance

**ITEM:** Request Approval to Renew Ellucian's Hosted Oracle Subscription Access License (HOSAL)

**DATE PREVIOUSLY SUBMITTED:** 8/2023

**SUMMARY:**

Approval is requested to renew Ellucian's Hosted Oracle Subscription Access License (HOSAL) bundle. The bundle is explicitly designed for and only compatible with Banner 9 in Ellucian's Managed Cloud.

The FY25 cost includes:

- Intelligent Learning Platform (ILP) for Blackboard
- Hosted Oracle Subscription Access (HOSAL)
- Managed Platform
- Core Banner Modules (Student self-service, financial aid, Degree Works, finance, HR, and third-party extensions (Evision & Argos))

The contract term is September 1, 2024 to August 31, 2025.

**SUPPORTING**

**DOCUMENTATION:** LIT-TCC HOSAL Proposal, CRM Renewal, ILPO  
(Under Separate Cover)

**FISCAL IMPACT:** Not to Exceed: \$1,500,000  
University FOAPs: 1000/31205/7275/10 | 1000/31205/7262/10

**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



GENERAL COUNSEL

06/05/2024

DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



INTERIM CHIEF FINANCIAL OFFICER

06/05/2024

DATE



PRESIDENT

06/06/2024

DATE

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Administration and Finance

**ITEM:** Request Approval to Outsource Managed Call Center (Addendum)

**DATE PREVIOUSLY SUBMITTED:** 10/2023

**SUMMARY:**

The University sought a one-stop service desk solution to improve experiential outcomes with the help desk ticketing system. The support shall provide via the following interaction channels:

- Inbound phone calls
- Outbound phone calls for call backs to end users.
- Email notification to OculusIT inContact interaction management system
- Branded HTTPS chat interface

A Group Purchasing Organization (GPO) in accordance with Texas Education Code Section § 51.9335, was utilized to procure managed call center services. This addendum allows the Office of Information Technology to increase the ticket capacity to provide 24/7 Help Desk support for students, faculty, and staff.

The University awards contracts to a respondent whose proposal provides the best value to the State of Texas and Texas Southern University, as defined by Texas Government Code, § 2155.074.

**SUPPORTING**

**DOCUMENTATION:** Oculus IT Addendum (Under Separate Cover)

**FISCAL IMPACT:** Cost Not to Exceed \$540,850  
FOAP: 3336-31200-7275-70-1060

**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



GENERAL COUNSEL

06/05/2024

DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



INTERIM CHIEF FINANCIAL OFFICER

06/06/2024

DATE



PRESIDENT

06/06/2024

DATE

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Administration and Finance  
**ITEM:** Approval Request for Landscaping Services  
**DATE PREVIOUSLY SUBMITTED:** N/A

**SUMMARY:**

Preserving the visual appearance of the University's natural environment is a campus priority. Creating and maintaining a safe, sustainable, and beautiful landscape supports the University's academic and healthcare missions. It provides an outdoor campus environment that students, faculty, staff, and visitors alike can enjoy.

The University awards contracts to a respondent whose proposal provides the best value to the State of Texas and Texas Southern University, as defined by Texas Government Code 2155.074.

The Administration recommends Brightview as the awardee for the landscaping services award in accordance with Texas Education Code § 51.9335.

A Request for Proposal (RFP 717-24-717) was posted on Electronic State Business Daily and Texas Southern University's website per Texas Government Code §2155.083.

The contracted landscape services include maintenance, installation, and quality site assessments. The contract will also service the University's exterior properties.

Brightview is not a HUB vendor, and Form 1295 has been submitted.

**SUPPORTING DOCUMENTATION:** Landscaping Services Supplemental Information (Under Separate Cover)  
**FISCAL IMPACT:** Not to Exceed: \$470,000  
**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.

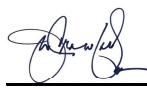
  
\_\_\_\_\_  
GENERAL COUNSEL

06/05/2024  
\_\_\_\_\_  
DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.

  
\_\_\_\_\_  
INTERIM CHIEF FINANCIAL OFFICER

06/06/2024  
\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
PRESIDENT

06/06/2024  
\_\_\_\_\_  
DATE

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Administration and Finance

**ITEM:** Endowment Performance & Update (April 30, 2024)

**DATE PREVIOUSLY SUBMITTED:** N/A

**SUMMARY:**

The current endowment performance report is presented as information based on the requirements set forth in the Texas Southern University Endowment Investment Policy.

**SUPPORTING DOCUMENTATION:** Atlanta Consulting Group TSU Endowment Reports – April 30, 2024

**FISCAL IMPACT:** NONE

**ACTION REQUESTED:** Information

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



06/04/2024

**GENERAL COUNSEL**

**DATE**

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



06/04/2024

**INTERIM CHIEF FINANCIAL OFFICER**

**DATE**



06/06/2024

**PRESIDENT**

**DATE**

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Bylaws and Policy (Ad Hoc)

**ITEM:** Request Approval to Amend Board Bylaws to Add Audit Certification for Budget Items and to Waive Section 9.1 for this Amendment

**DATE PREVIOUSLY SUBMITTED:** None

**SUMMARY:**

Approval to Amend Board Bylaws to Add Audit Certification for Budget Items and to Waive Section 9.1 for this Amendment.

**SUPPORTING DOCUMENTATION:** Proposed Revisions to Board of Regents Bylaws (Redline)

**FISCAL IMPACT:** No Fiscal Impact

**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



GENERAL COUNSEL

06/06/2024

DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



INTERIM CHIEF FINANCIAL OFFICER

06/06/2024

DATE



PRESIDENT

06/06/2024

DATE

# TEXAS SOUTHERN UNIVERSITY

## BOARD OF REGENTS

### BYLAWS



The Bylaws contained herein have been adopted by the Board of Regents and are binding on the Board and all others in the governance of the University. They are to be known as the Regents' Bylaws to distinguish them from any other rules and regulations promulgated by the University. These Bylaws may be added to, repealed, or amended only through the action of the Board.

*Adopted: October 25, 2019*

*Last Amended: ~~June 13~~ April 4, 2024 \_\_\_\_\_*

## TABLE OF CONTENTS

---

<b>SECTION 1: BOARD AUTHORITY, POWERS AND DUTIES .....</b>	<b>1</b>
1.1 Board Authority and Power.....	1
1.2 Duties and Responsibilities .....	1
1.3 Approval of Governing Documents .....	3
<b>SECTION 2: MEMBERSHIP OF THE BOARD .....</b>	<b>3</b>
2.1 Membership of the Board.....	3
2.2 Non-voting Student Regent.....	3
<b>SECTION 3: OFFICERS .....</b>	<b>3</b>
<b>SECTION 4: DUTIES OF OFFICERS.....</b>	<b>4</b>
4.1 Duties of the Chair .....	4
4.2 Duties of the Vice Chair.....	4
4.3 Duties of the Second Vice Chair .....	4
4.4 Duties of the Immediate Past Chair.....	5
4.5 Duties of the Secretary of the Board .....	5
4.6 Board Self Evaluation .....	5
4.7 Disqualification of the Officers .....	5
<b>SECTION 5: COMMITTEES.....</b>	<b>6</b>
5.1 Committees.....	6
5.2 Members of Committees .....	6
5.3 Vacancies .....	7
5.4 Committee Meetings .....	7
5.5 Authority of Committees.....	7
5.6 Mission of Committees .....	7
5.7 Duties of the Administration and Finance Committee.....	8
5.8 Duties of the Academic Affairs, Research and Student Life Committee.....	9
5.9 Duties of the Development and Legislative Affairs Committee .....	9
5.10 Duties of the Personnel and Litigation Committee .....	9
5.11 Duties of the Physical Facilities Committee .....	10
5.12 Duties of the Audit and Compliance Committee .....	10
5.13 Duties of the Athletics Committee .....	10
5.14 Staff Services for Board Committees.....	11

TABLE OF CONTENTS Cont.

---

**SECTION 6: BOARD OF REGENTS MEETINGS.....11**

6.1 Regular Meetings .....11

6.2 Special Meetings .....11

6.3 Notice of Meetings .....11

6.4 Notice of Special Meetings .....12

6.5 Public Notice Requirements .....12

6.6 Waiver of Notice .....12

6.7 Quorum.....12

6.8 Agenda .....12

6.9 Open Transaction of Business.....12

6.10 Official Business .....12

6.11 Conflicts of Interests .....12

6.12 Rules of Order .....13

6.13 Fiscal Note Certification .....13

6.14 Legal Compliance Certification .....13

6.15 Consent Docket .....13

6.16 Executive Sessions .....13

**SECTION 7: PERSONNEL REPORTING DIRECTLY TO THE BOARD .....14**

7.1 President .....14

7.2 Internal Auditor .....14

7.3 Board Counsel .....15

7.4 Executive Director of Board Relations .....15

**SECTION 8: COMMUNICATIONS TO THE BOARD.....15**

8.1 Board Member’s Right to Information.....15

8.2 Open Forum Time .....15

8.3 Proposals for Board Consideration .....16

8.4 Disruption .....16

**SECTION 9: AMENDMENTS AND MISCELLANEOUS PROVISIONS .....16**

9.1 Amendments.....16

9.2 Gender and Number .....17

9.3 Changes in State Law and Regulation.....17

**SECTION 1**

**Board Authority, Powers and Duties**

**1.1 Board Authority and Powers.** Under the provisions of Texas Education Code, Chapter 106, the Legislature of the State of Texas designates Texas Southern University (the “University” or “TSU”) as a coeducational institution of higher education and gives the Board of Regents of Texas Southern University (the “Board of Regents” or the “Board”) the power and authority to govern the University. The Board is expressly directed by state law to enact bylaws, rules and regulations, for the successful management and government of the institution. In addition to the express powers conferred by statute, Texas case law has held that Boards of Regents of Texas colleges and universities have wide discretion in exercising the power and authority granted by the State Legislature, including discretion in what action it takes directly and in what authority it delegates to other bodies within the University.

**1.2 Duties and Responsibilities**

**1.2(a).....Adopted October 25, 2019**

The Board shall provide the policy direction for the institution including adopting or approving policies required by law, such as those required polices related to ethics and contracting in accordance with Texas Education Code, Section 51.9337 and Sexual Assault in accordance with Texas Education Code, 51.9363; and ensure that the policies and processes of the University remain current and are properly implemented.

**1.2 (b).....Amended April 4, 2024**

In addition to powers and duties specifically granted by the Texas Education Code or other law, the Board of Regents and each member of the Board shall be subject to the duties and requirements specified below. The Board shall:

- (1) establish, for each institution under its control and management, goals consistent with the role and mission of the institution;
- (2) appoint the president or other chief executive officer of the institution and evaluate the chief executive officer of the institution and assist the officer in the achievement of performance goals;
- (3) determine the offices, professorships, and other positions at the institution, appoint a president, appoint the professors and other officers and employees and prescribe their duties, and fix their respective salaries;
- (4) remove any professor, instructor, tutor, or other officer or employee connected with the institution when, in its judgment, the best interests and proper operation of the institution requires it, unless through board policy the Board has delegated some or all of this responsibility to the President;
- (5) set campus admission standards consistent with the role and mission of the institution and considering the admission standards of similar institutions nationwide having a

similar role and mission, as determined by the Texas Higher Education Coordinating Board (“coordinating board”); and

- (6) ensure that its formal position on matters of importance to the institutions under its governance is made clear to the coordinating board when such matters are under consideration by the coordinating board.

**1.2(c) .....Adopted October 25, 2019**

Each member of the Board has the legal responsibilities of a fiduciary. Specifically, the Board is responsible for fulfilling fiduciary responsibilities in each of the following essential areas:

- (1) establishing, disseminating, and keeping current the mission of the University;
- (2) ensuring the quality of the education provided by the University and within the University’s mission ensure that it:
  - i. transmits culture through general education;
  - ii. extends knowledge;
  - iii. teaches and trains students for professions;
  - iv. provides for scientific, engineering, medical, and other academic research;
  - v. protects intellectual exploration and academic freedom;
  - vi. strive for intellectual excellence;
  - vii. provides educational opportunity for all who can benefit from postsecondary education and training; and
  - viii. provides continuing education opportunities.
- (3) ensuring the University’s fiscal integrity, preserving and protecting its assets for posterity, and engaging directly in fundraising and philanthropy;
- (4) engaging regularly with the University’s major constituencies; and
- (5) ensuring that they have educated themselves regarding the laws related to their appointed position, including attending mandatory trainings in ethics and conflicts of interest such as training for newly appointed members of governing boards, and mandatory training in the Texas Public Information Act and investments, and that they act, in the performance of their duties, in compliance with the constitution and state and federal laws as they may be amended from time to time.

**1.2(d) .....Adopted October 25, 2019**

The Board of TSU, a general academic teaching institution, will consult with the boards of each public junior college within a 100-mile radius of TSU and shall adopt a policy to enhance the transfer of students based on the recommendations of the permanent advisory committee created pursuant to Section 51.3521 of the Texas Education Code.

**1.3 Approval of Governing Documents.** The Board of Regents shall approve all constitutions, bylaws, rules, regulations, manuals, and other governing documents (including proposed amendments) of all University groups and organizations. This authority may be delegated. Notwithstanding approval of such documents directly or through delegation, the Board or its delegee(s) retains the unilateral right to repeal, rescind, suspend or waive (temporarily or permanently) any or all of the provisions of any such documents whenever it is determined that (a) such action is in the best interest of the institution, or (b) any or all of the provisions of any such documents is inconsistent with these Bylaws and/or Board Policy.

**Amended April 4, 2024.**

## **SECTION 2**

### **Membership of the Board**

**2.1 Membership of the Board.** Pursuant to Texas Education Code Sections 106.11 and 106.12, the Board of Regents is composed of nine (9) members appointed by the Governor of the State of Texas, with the advice and consent of the Texas Senate, for staggered terms of six (6) years each, the terms of three (3) members expiring on February 1 of odd numbered years.

**2.2 Non-voting Student Regent.** Pursuant to Texas Education Code Section 51.356, there shall be a non-voting Student Regent, whose qualifications, appointment, authority, powers and duties shall be in accordance with that section. The non-voting Student Regent, in compliance with Section 51.356, shall not be a member of the Board of Regents, shall have no right to vote on any matter before the Board and shall not make or second any motion before the Board. However, the Student Regent shall have the right to attend and participate in all meetings of the Board of Regents and shall have the same right as any member of the Board to speak and provide input. The Student Regent is not counted in determining whether a quorum exists for a Board meeting or in determining the outcome of any vote before the Board.

## **SECTION 3**

### **Officers**

**Officers.** In each odd numbered year, at its first regular meeting after September 1 of that year, the Board shall elect from its membership a Chair and a Vice Chair, a Second Vice Chair, and a Secretary. The Board may also appoint one or more Assistant Secretaries as needed, who shall not be required to be Regents. Assistant Secretaries shall not sign or attest documents or instruments related to bonds or debt of the University. Each of these officers shall hold office for two (2) years or until his successor is duly elected. In case of death, resignation, or disqualification of an officer, the Board shall, as soon as practicable thereafter, elect or appoint a successor for the unexpired term. An officer may not serve more than two consecutive terms (*i.e.*, 4 years) in the same position.

**Amended April 4, 2024.**

**SECTION 4**  
**Duties of Officers**

**4.1 Duties of the Chair.** The Chair shall:

- (a) preside over the meetings of the Board and shall have the right to vote on all matters and questions that come before the Board.
- (b) call meetings of the Board to consider any business that the Chair deems necessary or appropriate, as herein provided.
- (c) call special meetings of the Board.
- (d) review and approve the agenda for all meetings of the Board.
- (e) appoint the members and Chairs of standing and ad hoc committees of the Board and subcommittees thereof, in consultation with, and subject to ratification by, the full Board.
- (f) serve as official spokesperson for the Board and represent the Board when it is not in session, unless the Board by vote has directed otherwise. The Chair may designate another Regent to serve as spokesperson on specific issues if the Chair deems it appropriate.
- (g) execute, with the Secretary or an Assistant Secretary attesting, any documents or instruments which the Board has authorized to be executed, except in cases where the Board has expressly delegated the signing and execution thereof to some other official of the University, provided however that Assistant Secretaries shall not sign or attest documents or instruments related to bonds or debt of the University.
- (h) decide what University personnel (not including other Board members), employee, or individual with a contractual relationship with the University may participate in Executive Session as appropriate and in accordance with the Texas Government Code.

**Amended April 4, 2024.**

**4.2 Duties of the Vice Chair.** The Vice Chair of the Board shall upon the death, absence, disability, resignation, removal or disqualification of the Chair perform the duties of the Chair until the Chair shall resume office or the Chair's successor shall have been elected as herein provided.

**4.3 Duties of the Second Vice Chair.** The Second Vice Chair shall upon the death, absence, resignation, disability, or disqualification of the Vice Chair, perform the duties of the Vice Chair until the Vice Chair shall resume office or the Vice Chair's successor shall have been elected as herein provided.

**4.4 Duties of the Immediate Past Chair.** The Immediate Past Chair, including interim or acting chair, shall be a voting member of the board and shall perform duties as assigned.

**4.5 Duties of the Secretary of the Board.** The Secretary of the Board shall keep or cause to be kept the minutes of the meetings of the Board, properly indexed, and shall certify the accuracy of the minutes. The Secretary shall also cause to be filed, indexed, and carefully preserved all papers and documents pertaining to the business and proceedings of the Board, and shall post, or cause to be posted, notices of all meetings of the Board in compliance with Texas statutes and these Bylaws. The Secretary (or an Assistant Secretary as authorized herein) shall attest to all documents or instruments requiring such attestation.

**Amended April 4, 2024.**

**4.6 Board Self Evaluation.....Amended April 4, 2024.**

The board shall conduct an assessment of its governance (Board Assessment) at least once every three years. The purposes of the Board Assessment include:

- (a) strengthening Board performance;
- (b) identifying and reaching consensus on Board goals;
- (c) ensuring that all Regents have a clear and common understanding of Board responsibilities;
- (d) clarifying mutual expectations of Regents and the President; and
- (e) strengthening relationships among Regents and the President.

**4.7 Disqualification of Officers .....Amended April 4, 2024.**

- (a) It is a ground for removal as an officer of the Board if the officer:
  - (1) commits malfeasance of office; or
  - (2) is absent from more than half of the regularly scheduled Board meetings that the officer is eligible to attend during a calendar year, unless the absence is excused by majority vote of the Board.
- (b) An officer of the Board cannot be discharged of their duties for a substantial part of the officer's term because of illness or disability.
- (c) Additionally, an officer may be removed with a supermajority vote of the Board.
- (d) The validity of an action of the Board is not affected by the fact that it was taken when a ground for removal of an officer existed.

**SECTION 5  
Committees**

**5.1 Committees.** The Board shall have the following standing committees:

- (a) Administration and Finance Committee;

- (b) Academic Affairs, Research and Student Life Committee;
- (c) Development and Legislative Affairs Committee;
- (d) Personnel and Litigation Committee;
- (e) Physical Facilities Committee;
- (f) Audit Committee; and
- (g) Athletics Committee.

Upon recommendation of the Board Chair or any Regent, the Board may also, at any time and from time to time, by resolution create ad hoc committees and subcommittees of the standing committees for any purpose the Board deems appropriate; and such subcommittees and ad hoc committees shall continue to function until discharged by the Board.

**Amended April 4, 2024.**

**5.2 Members of Committees.....Amended April 4, 2024**

- (a) Standing committees shall consist of three but no more than four voting members. The Student Regent shall be a non-voting ex officio member of all standing committees. Standing committee members and standing committee chairs shall have two-year terms. Standing committee members and standing committee chairs shall be appointed by the Chair of the Board promptly after his/her election, subject to ratification by the Board, and shall remain as constituted until reconstituted by the succeeding Chair of the Board (unless a vacancy is caused by death, resignation, disqualification, or inability to act).
- (b) Ad hoc committees shall consist of the number of members specified by the Board, or by the Chair of the Board if the Board does not specify a number. Ad hoc committees will normally include at least one Regent, and may also include non-Regents, as appropriate based on the charge given to the Committee. Ad hoc committee members and ad hoc committee chairs shall have two-year terms or serve until the committee is discharged by the Board, whichever is shorter. Ad hoc committee members and ad hoc committee chairs shall be appointed by the Chair of the Board promptly after his/her election, subject to ratification by the Board, and shall remain as constituted until the committee is discharged by the Board or reconstituted by the succeeding Chair of the Board (unless a vacancy is caused by death, resignation, disqualification, or inability to act), whichever is shorter. The Student Regent shall be a non-voting ex officio member of all ad hoc committees.
- (c) Subcommittees shall consist of the number of members specified by the Board, or by the Chair of the Board, if the Board does not specify a number. The Chair and members of any subcommittee shall have two-year terms or serve until the committee is discharged by the Board, whichever is shorter. Subcommittee members and subcommittee chairs shall be appointed by the Chair of the Board promptly after his/her election, subject to ratification by the Board, and shall remain as constituted until the committee is discharged by the Board or reconstituted by the succeeding Chair of the Board (unless a vacancy is caused by death, resignation, disqualification, or inability to

act), whichever is shorter. Non-Regents may be appointed to subcommittees, as appropriate based on the charge given to the Committee, but only Regents shall be voting members. The Student Regent shall be a non-voting ex officio member of all subcommittees.

**5.3 Vacancies.** In case a vacancy shall occur on any committee, subcommittee, or ad hoc committee, the Chair of the Board shall appoint another member to serve, subject to ratification by the Board within a reasonable period of time.

**5.4 Committee Meetings.** Committee (standing, ad hoc and subcommittee) meetings shall not be subject to the Texas Open Meetings Act. Promptly after appointment, each committee chair shall consult with his/her committee members to determine the schedule of meetings for the remainder of the committee chair's term. Committee meeting schedules shall be presented to the Board for ratification. Committees will meet no more than once monthly without prior approval from the Board Chair.

A quorum of the voting members of the committee is necessary for it to meet, and a majority vote of a quorum of a committee is required for its recommendations to be presented to the full Board for consideration. Committee recommendations do not constitute board action and therefore, do not bind the Board.

An agenda containing the items to be considered at each committee meeting shall be prepared and provided to each committee member at least 72 hours before each meeting. No business other than that placed on the agenda for the meeting shall be considered at any committee meeting. The agenda for standing committee meetings shall be developed by the President or the President's designee, in consultation with the Committee Chair, and aligned to the agenda items scheduled to be considered from the committee at the next regular board meeting, except in the case of the Audit Committee, which agendas shall be developed by the Internal Auditor. Nothing contained in this paragraph prohibits the Committee Chair, in consultation with the President or President's designee, from placing a committee member's information request or the results of a committee member's information request on an agenda for a committee meeting.

**Amended April 4, 2024.**

**5.5 Authority of Committees.** Committees (standing, ad hoc, and subcommittee) do not control or supervise TSU business or policy; they are purely advisory to the Board. Committees shall be authorized only to report and make recommendations to the Board. Committees may not act for the Board.

**Amended April 4, 2024.**

**5.6 Mission of Committee.** The Chair of each standing committee shall provide the Board for review annually, a mission statement embodying the goals and intentions of each such standing committee.

**5.7 Duties of the Administration and Finance Committee.** This Committee shall review and make recommendations to the Board on matters relating to:

- (a) fiscal policies and procedures including policies and procedures promulgated under the University's Manual of Policies and Procedures related to fiscal affairs;
- (b) operating and capital budgets and capital financing plans;
- (c) legislative appropriations requests;
- (d) banking agreements, instruments and arrangements;
- (e) contracts, financial transactions and expenditures, except as specifically assigned to another committee;
- (f) accounting, bookkeeping, fiscal control and financial reporting systems of the University;
- (g) with the approval of the entire Board, investment and reinvestment of any funds under the control of the University's Foundation, including but not limited to financial aid, tuition and fees, ancillary revenues, and University Endowment funds (restricted and unrestricted); and
- (h) administrative policies, procedures, rules, regulations, operating instructions, manuals and other documents or instruments promulgated by the University administration or any organization subject to control or oversight by the University, except as specifically assigned to another committee; and any amendments or revisions of any of the above. This Committee shall also have authority to require, review and accept reports related to any of the above matters and to transmit such reports to the Board.

**5.8 Duties of the Academic Affairs, Research and Student Life Committee.** This Committee shall review and make recommendations to the Board on matters relating to:

- (a) the role, mission, plans, policies and procedures for development and operation of the University and of each college and department within the University;
- (b) grants of degrees, diplomas and certificates;
- (c) intermural athletics;
- (d) faculty organization and faculty participation in University governance;
- (e) teaching load, class size, student-faculty ratios, instructional expenditures, research programs, grants and educational gifts;
- (f) curriculum and academic programs offered by the University;

- (g) admissions, tuition and fees, student aid, extracurricular activities and student/faculty relations; and
- (h) all grants of tenure; and academic appointments at the level of Dean and above.

**5.9 Duties of the Development and Legislative Affairs Committee.** This Committee shall review and make recommendations to the Board on matters relating to:

- (a) Public Affairs, including but not limited to legislative and governmental communications and legislative relations and appropriations requests;
- (b) fund raising, including developmental gifts and grants and policies related to recognition of donors;
- (c) alumni and ex-student relations; and
- (d) community relations, public relations, public information and media relations.

**5.10 Duties of the Personnel and Litigation Committee.** This Committee shall review and make recommendations to the Board on matters relating to:

- (a) systems, policies, procedures and practices related to recruitment, hiring, employee relations, compensation and personnel;
- (b) numbers and qualifications of necessary officers, faculty, professional and other employees of the University and their compensation and terms and conditions of employment;
- (c) complaints against University officers or employees; and
- (d) potential threatened or actual litigation involving the University or any of its officers' faculty or other employees.

**5.11 Duties of the Physical Facilities Committee.** This Committee shall review and make recommendations to the Board on matters relating to:

- (a) long range planning and master planning for buildings and other physical facilities of the University;
- (b) security of humans and physical facilities on property owned or controlled by the University;
- (c) appointment of architects and engineers to design and supervise construction of University buildings and physical facilities, including improvement of grounds and open space;
- (d) approval of construction, rehabilitation and repair contracts in excess of \$100,000

related to University buildings and physical facilities, including grounds and open space, and including Change Orders for approved projects in any case where a Change Order increases the cost of the project in excess of \$100,000 or extends the completion date of a project by more than thirty (30) days; and,

- (e) approval of contractors under any program which would qualify contractors in advance for award of contracts without further competitive bidding, where the total aggregate amount awarded in any one year under multiple awards could be in excess of \$100,000.

**5.12 Duties of the Audit and Compliance Committee.** This Committee shall, in consultation with the University's Internal Auditor, review and make recommendations to the Board on matters relating to:

- (a) policies and procedures for audits to be conducted by the University's Internal Auditor;
- (b) compliance with results of internal and external audits;
- (c) approval of an annual audit plan for audits by the University's Internal Auditor;
- (d) proposals for, or notices of, audits to be conducted by the State Auditor or other public or private audit organizations;
- (e) reports and results of audits conducted by any audit organization with regard to any aspect of the University or its activities or operations; and
- (f) management's proposed responses to, and/or compliance with, any audit report (internal and external), recommendation, or conclusion.

**5.13 Duties of the Athletics Committee.** This Committee will collaborate with the President and Athletics Director to regularly monitor the quality of the University's intercollegiate athletics program (Program) and make recommendations to the Board on matters of policy, quality, and funding including:

- (a) operation of the Program consistent with the University's academic mission and strategies, commitment to the academic success, and physical and social development of student-athletes, and commitment to the health, safety and welfare of student-athletes;
- (b) Program quality and competitiveness;
- (c) broad opportunities for participation for both men and women;
- (d) Program planning, including proposals for adding, modifying or discontinuing participation in individual sports programs, and the construction, removal and remodeling of athletic-facilities;
- (e) Athletic-conference matters;
- (f) compliance with National Collegiate Athletic Association (NCAA) and conference rules and regulations, as well as applicable state and federal laws; and

(g) budgetary requirements for the Program.

**5.14 Staff Services for Board Committees.** The University President will designate a senior staff member as the liaison for each Board committee (standing, ad hoc, subcommittee), subject to ratification of such designation by the Board. Upon request of the Committee Chair and approval of the President, the designated liaison shall provide information, assistance, and appropriate staff resources to prepare the agenda and conduct the business of the committee. The University President or his/her designee, in consultation with Board Chair, shall identify appropriate meeting space for committee meetings. Committee members shall not direct TSU staff to provide information, assistance, or resources in connection with committee meetings. Committee member requests for information, assistance, and/or staff resources shall be submitted to the Committee Chair, who shall provide the request to the President.

**Amended April 4, 2024.**

## **SECTION 6**

### **Board of Regents Meetings**

**6.1 Regular Meetings.** Regular meetings of the Board shall be held at such times and places as the Board shall designate in compliance with state law.

**6.2 Special Meetings.** The Chair of the Board shall call a special meeting of the Board in compliance with state law: (1) upon receipt of a written request signed by at least five (5) members of the Board; or (2) upon the concurrence of the Chairman and one other member of the Board that there is a need for a special meeting. In addition, the Chair of the Board may call a special meeting of the Board at any time in an emergency, subject to the requirements of state law. If special meetings are held, only matters set forth in the notice of the meeting are to be considered and acted upon.

**Amended April 4, 2024.**

**6.3 Notice of Meetings.** The Chairman shall cause written notification of the date, time, and place of regular meetings of the Board to be sent to each Regent at least seven (7) days before the date of the meeting, together with a copy of the meeting agenda. In case the date of a regular meeting has been changed by the consensus of a majority of the Board, evidenced by email from the Board members consenting to the change, written notification of the new date, time and place for the meeting shall be sent not less than seventy-two (72) hours before the new time.

**6.4 Notice of Special Meetings.** Notice of any special meeting of the Board shall state the date, time, and place of such meeting and shall be sent to each Regent, together with a copy of the meeting agenda, not less than seventy-two (72) hours before the time of the meeting; provided, however, that in case of emergency, such meeting may be held upon shorter notice whenever telephone concurrence is obtained from at least five (5) members of the Board, subject to the requirements of state law.

**Amended April 4, 2024.**

**6.5 Public Notice Requirements.** Texas Southern University and the Board of Regents shall comply at all times with the requirements of the Texas Open Meetings Act, Chapter 551 of the Government Code.

**6.6 Waiver of Notice.** Whenever notice is required to be given under these rules and regulations, a waiver thereof in writing signed by the persons entitled to said notice, whether before or after the time therein, shall be deemed equivalent thereto, provided that public notice was given in accordance with state law. Attendance at any meeting by a Regent shall be conclusively deemed a waiver of notice of that meeting by that Regent unless objection is made thereto at such meeting.

**6.7 Quorum.** A majority of the total authorized number of voting Regents shall be necessary and sufficient to constitute a quorum for the transaction of business at meetings of the Board. A majority of the total voting membership of any committee or subcommittee shall constitute a quorum for the transaction of business. The act of a majority of the voting members present and voting at a duly called meeting of the Board shall be the act of the Board, except as may be provided otherwise by these Bylaws.

**Amended April 4, 2024.**

**6.8 Agenda.** The agenda for each Board meeting is the responsibility of the Chair of the Board, who shall, in consultation with the President, cause to be prepared and distributed the agenda and the materials supporting each agenda item. At the request of any Regent more than ten (10) days prior to a regular Board meeting, the Chair shall add to the agenda any item or matter requested by that Regent.

**6.9 Open Transaction of Business.** The Board may transact official business only when in session and shall not be bound in any way by any statement or action on the part of any individual Board officer or other member except when such statement or action is pursuant to specific authorization by the Board.

**6.10 Official Business.** No business other than that placed on the agenda and noticed as required by State law shall be officially transacted at a meeting of the Board or any Board committee.

**6.11 Conflicts of Interests.** Regents must avoid conflicts of interest in the conduct of University business. A Regent shall be considered to have a conflict of interest if such Regent has any existing or potential financial or other interest which impairs or might reasonably appear to impair such member's independent, unbiased judgment in the discharge of his responsibilities to the University, or such Regent is aware that a member of his family (which for the purposes of this paragraph shall be a spouse, parents, siblings, children, and any other relative if the latter resides in the same household as the Regent) or any organization which such Regent or member of his family is an officer, director, employee, member, partner, trustee or controlling stockholder has such existing or potential financial or other interests. All Regents shall disclose to the Board any possible conflicts of interest at the earliest practicable time. No Regent shall vote on any matter under consideration at a Board or committee meeting in which such Regent has a conflict of interest. The minutes of such meeting shall reflect that the Regent having a conflict of interest abstained from voting. Any Regent who is uncertain whether he has a conflict of interest in any

matter may request the Board or committee to determine whether a conflict of interest exists, and the Board or committee shall resolve the question by majority vote. In making this determination, the Board or Committee may consult with legal counsel.

**6.12 Rules of Order.** “Robert’s Rules of Order”, when not in conflict with these Bylaws or applicable state law or regulations, shall govern the procedure at all Board and committee meetings.

**6.13 Fiscal Note Certification.** Except in case of bona fide emergency explicitly declared and described in the proposal, each action item proposed for adoption by the Board or any committee shall be accompanied by a fiscal note certified by the President and the Chief Financial Officer of the University setting forth the amount of positive or negative fiscal effect that the implementation of the proposal will have and the detailed reasons for such effect, and no proposal may be adopted by the Board or any committee unless accompanied by such fiscal note.

**6.14 Legal Compliance Certification.** Except in case of bona fide emergency explicitly declared and described in the proposal, each action item proposed for adoption by the Board or any committee shall be accompanied by a certification from the President and the Chief Legal Officer of the University certifying that such proposal and its implementation will not be in violation of any applicable Federal, state, or local law or regulation, and no proposal may be adopted by the Board or any committee unless accompanied by such certification.

**6.15** Internal Audit Certification. Each budget action item proposed for adoption or approval by the Board or any committee, including any budget amendments, shall be accompanied by a certification from the Chief Internal Auditor certifying that such proposal and its implementation will not be in violation of any applicable Federal, state, or local law or regulation, including specifically any state agency budgeting rules, and satisfies applicable auditing standards. No proposal may be adopted by the Board or any committee unless accompanied by such certification. This certification is in addition to the Legal Compliance and Fiscal Note Certifications, which are also required on budget action items, even in the case of bona fide emergencies.

**6.16 Consent Docket.** The Chair of the Board may place any proposed action item which he deems to be routine and non-controversial on a consent docket for any regular meeting of the Board. The consent docket shall list each item separately with enough detail to describe the substance of the item to the casual reader. Items on the consent docket will go directly to the Board (or committee, as applicable) for action without additional discussion or consideration and will be included in an omnibus resolution approving all consent docket items together. If any Regent requests prior to approval that any item be removed from a consent docket, it shall be removed and considered separately at that meeting, and may be approved, rejected, or tabled and sent to the appropriate committee for further consideration.

**6.17** **Executive Sessions.** All meetings of the Board and Board committees, regular and special, shall be open to the public except as provided by Texas Open Meetings Act, including specifically Government Code Sections 551.071 – 551.089, pursuant to which the Board or Committee may go into

- Formatted: Font: (Default) Times New Roman, Font color: Auto, Ligatures: None
- Formatted: Font: (Default) Times New Roman, Not Bold, Font color: Auto, Ligatures: None
- Formatted: Font: (Default) Times New Roman, Font color: Auto, Ligatures: None
- Formatted: Font: (Default) Times New Roman, Font color: Auto, Ligatures: None
- Formatted: Font: (Default) Times New Roman, Font color: Auto, Not Expanded by / Condensed by , Ligatures: None
- Formatted: Font: (Default) Times New Roman, Font color: Auto, Ligatures: None
- Formatted: Font: (Default) Times New Roman, Font color: Auto, Ligatures: None
- Formatted: Font: (Default) Times New Roman, Not Bold, Font color: Auto, Ligatures: None

Executive Session:

- (a) to consult with the University’s General Counsel, or Board’s counsel, as applicable; regarding pending or contemplated litigation, offers, or matters that are confidential under the Texas Disciplinary Rules of Professional Conduct;
- (b) to discuss matters related to the purchase or sale of Real Estate;
- (c) to discuss matters related to employment and evaluation of personnel;
- (d) to discuss matters related to deploying or implementing security personnel or devices;
- (e) to discuss matters related to a security audit; or
- (f) for other reasons permitted under applicable law.

During executive sessions, all visitors and employed University personnel may be denied the floor and/or excused from the meeting. Any Board member may request the removal of a visitor or employed University personnel from executive session subject to the approval of the Chair of the Board.

**SECTION 7**

**Personnel Reporting Directly to the Board.....Amended April 4, 2024**

**7.1 President.**

- (a) The Board of Regents shall appoint by resolution in compliance with state law a President, who shall be the Chief Executive Officer of the University, and who shall hold office at the pleasure of the Board.
- (b) The role of the President of the University is one of creative leadership; therefore, beyond general duties, the President’s role should not to be described by a detailed list of specific duties. As Chief Executive Officer of the institution, the President is responsible to the Board of Regents for the administration and for the management and control of the entire University, in accordance with Board Policy and direction. All decisions and actions of the President must be in accordance with general policies approved by the Board of Regents and are subject to the right of the Board to intervene, provided, however, that the Board will rarely exercise this right for both philosophical and practical reasons.
- (c) The President, on behalf of the Board of Regents, is expressly delegated the authority to sign any contracts that the Board has officially awarded by Board resolution.
- (d) Annually when the budget is passed, the Board shall conduct a performance review of the President, subject to any contractual obligations.

**7.2 Internal Auditor.** The Board of Regents shall appoint by resolution in compliance with state law an Internal Auditor for the University, who shall serve in that position without a fixed term. The Internal Auditor shall report exclusively to the Board and shall be paid from funds allocated by the Board, and shall submit all audit plans, programs, staffing, budgets and audit reports to the Board, through the Audit Committee, for review and, as necessary, for approval. The Board may provide a contract for employment to the Internal Auditor. The Internal Auditor shall not be required for proposals, requests or reports requested by any Regent to provide a certified fiscal note or legal certification similar to those provided for in sections 6.13 and 6.14, or certifications by the President, the Chief Financial Officer, and the General Counsel unless a formal action of the Board on such proposals is scheduled where the Board will take action on such proposal, request or report. Proposals, requests or reports requested by any Regent may be made confidential communications between the requesting Regent and the Internal Auditor by the direction of the requesting Regent, or between the Board and the Internal Auditor, as applicable.

Annually when the budget is passed, the Board of Regents shall conduct a performance review of the Internal Auditor.

**7.3 Board Counsel.** The Board of Regents shall appoint by resolution in compliance with state law Board Counsel, who shall serve in that position for such term of office as the Board may decide. Board Counsel shall report exclusively to the Board, be paid from funds allocated by the Board, and the Board may provide a contract for employment to the Board Counsel pursuant to Texas Law. The Board Counsel may be terminated by the Board at will.

Annually when the budget is passed, the Board of Regents shall conduct a performance review of the Board Counsel.

**7.4 Executive Director of Board Relations.** The Board of Regents shall appoint by resolution in compliance with state law an Executive Director of Board Relations and other staff reporting to such person, who shall serve in that position without a fixed term. The Executive Director for Board Relations shall report directly to the Board and shall submit proposals for staffing, budget, programs and projects to the Board, through the Chair of the Board, for approval, provided, however, that all such proposals shall be reviewed by the Chief General Counsel of the University for compliance with these Bylaws. Proposals that contain a fiscal component shall be reviewed by the Chief Financial Officer. The Executive Director for Board Relations, and other staff reporting to such person, shall be responsible for overseeing all administrative and recordkeeping functions in support of the Board and in support of the Regents in the performance of their official duties for the University. Board Relations staff's performance shall be reviewed by the Board annually, when the budget is passed.

**SECTION 8**

**8.1 Communications with the Board.....Amended April 4, 2024**

Board members have the right and duty to be fully informed on all matters that influence their

obligations as Regents. Nothing herein shall be construed to prevent them from informing themselves as necessary to discharge their statutory duties/responsibilities; however, they shall not interfere in the administration of the University. Requests for information should be sent to the appropriate Committee Chair (or Board President, if there is no applicable committee) with a copy to Executive Director of Board Relations. The Committee Chair (or Board President) shall submit the request to the President for a response with a copy to the Executive Director of Board Relations. The request and response shall be shared with the full Board.

**8.2 Open Forum.....Amended April 4, 2024**

At the beginning of each regular Board meeting convened pursuant to section 6.1 of these Bylaws, the Board shall provide “open forum” time for public comment, subject to the following procedures.

(a) Any person may register in advance to speak during “open forum” time. The speaker must complete and submit via online the requisite form(s) through the Board Relations Office. The registration must be at least three (3) business days prior to the Board meeting. Incomplete registrations will not be accepted. However, only those who have registered prior to the time that the meeting is convened shall be permitted to speak at that meeting.

(b) Each person registering to speak during “open forum” time must provide her/his name and the topic on which she/he wishes to speak. All presentation materials (*e.g.*, documents, videos, audio) must be submitted to the Board Relations Office at time of registration for approval. The Chair of the Board will give priority to those who wish to speak on agenda items before the Board at that meeting, but in all other respects, registrants shall be provided opportunity to speak on a “first to register” basis. If a registrant is called to speak and does not respond, the registration shall be carried forward until after the following speaker; if a registrant is then called a second time and does not respond that registration shall be deleted.

(c) Each person called to speak shall be limited to 3 minutes of presentation time. “Open forum” time at each Board meeting shall be limited to a total of 30 minutes subject to the requirements of the Texas Open Meetings Act. Those who have registered but are not called upon to speak at the first Board meeting after their registration shall have their registrations carried forward from meeting to meeting until such time as they are called. A registered speaker must personally make his or her presentation. Registered speakers who appear in person may yield their **full** presentation time to another speaker. No speaker can be yielded to more than once.

**8.3 Proposals for Board Consideration.** All requests and proposals for Board consideration (other than requests from Regents) shall be submitted to the Office of the President in writing. The President or his designee shall maintain a schedule for submission of such requests and proposals and shall communicate all timely requests and proposals to the Chair of the Board, who shall assign all such requests and proposals to the appropriate committees for consideration and disposition. In urgent circumstances the President and the Chair of the Board may decide to assign untimely requests or proposals for consideration.

**8.4 Disruption.....Amended October 14, 2021**

Disruption of any meeting of the Board of Regents or any committee or subcommittee thereof, or any other meeting, procession or gathering sponsored by the University, is prohibited. Disruption includes use of disparaging remarks that are unrelated to the manner in the performance of duties; obscene language or defamatory statements; as well as physical violence or interference with peaceful and orderly conduct of the meeting; and includes any such language or behavior by those making presentations during “open forum” time under section 8.2 of these Bylaws. The person chairing the meeting or another authorized University official or member of law enforcement should, to the extent practicable, clearly identify the disruptive language or behavior and request the person(s) responsible to desist. If that is not practicable, or if the person(s) responsible for the disruption do not desist after such a request, then the person chairing the meeting, or another authorized University official, may request law enforcement officers to remove the person(s) responsible for the disruption from the meeting.”

**SECTION 9  
Amendments and Miscellaneous Provisions**

**9.1 Amendment.** The affirmative vote of six members of the Board at a duly convened meeting shall be required to amend, add to, repeal or revise these Bylaws, provided, however, that any proposal to amend, add to, repeal or revise any portion of these Bylaws must be filed with the Chair of the Board in writing and a copy thereof must be sent via mail or electronic mail to each member of the Board at least thirty (30) days in advance of the meeting at which such amendment, addition, repeal or revision is to be considered for approval. If at the board meeting where changes to the Bylaws are considered further changes are proposed, those additional changes cannot be adopted until Board members have had 15 days to consider them.

**Amended April 4, 2024.**

**9.2 Gender and Number.** In these Bylaws, reference to the masculine shall also include the feminine as appropriate to the circumstances, and vice versa. Reference to the singular shall also include the plural as appropriate to the circumstances, and vice versa.

**9.3 Changes in State Law and Regulation .....Adopted October 25, 2019**

These Bylaws are governed by applicable Texas laws and regulations, some of which are cited as part of these Bylaws. If and when the applicable Texas laws and regulations change, these Bylaws will also be required to change to conform to the revised laws and regulations. The Board of Regents shall review these Bylaws and make conforming changes, if any, to Texas laws.

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Bylaws and Policy (Ad Hoc)

**ITEM:** Request Approval to Update MAPP Policy 05.01.01

**DATE PREVIOUSLY SUBMITTED:** None

**SUMMARY:**

Pursuant to Greg Abbott's Executive Order (GA 44) addressing acts of antisemitism in institutions of higher education to review and update free speech policies to address the sharp rise in antisemitic speech and acts on university campuses and establish punishments, the Office of General Counsel requests approval to update MAPP Policy 05.01.01.

**SUPPORTING DOCUMENTATION:** MAPP Policy 05.01.01

**FISCAL IMPACT:** No Fiscal Impact

**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



GENERAL COUNSEL

06/06/2024

DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



INTERIM CHIEF FINANCIAL OFFICER

06/06/2024

DATE



PRESIDENT

06/06/2024

DATE



**TEXAS SOUTHERN UNIVERSITY**  
**MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES**

**SECTION:** Student Services  
**AREA:** Student Affairs  
**SUBJECT:** Freedom of Expression Policy and Procedures

**Policy 05.01.01**

---

**I. POLICY STATEMENT:**

Texas Southern University (“TSU”) recognizes that freedom of expression and public assembly are fundamental rights of all persons, and are essential components of the education process. These activities promote debate and the sharing of ideas, which are the foundation of educational institutions. In keeping with this responsibility, any person is free to exercise the rights to assemble and engage in expressive activity in a constitutionally protected manner subject only to the content-neutral regulations necessary to fulfill the mission and obligations of TSU, preserve the rights of others, coordinate multiple uses of limited space, assure preservation of the campus facilities and grounds, and assure financial accountability for any damage caused by these activities.

Although members of the TSU community are free to criticize and contest the views expressed by others, they may not deny, materially obstruct, or otherwise improperly interfere with others' freedom to express views with which they disagree or which they find offensive or even loathsome. The fact that public expression activity occurs on TSU property does not imply and should not be construed as implying approval or endorsement by TSU of any viewpoint or message expressed.

**II. PURPOSE AND SCOPE:**

The purpose of this Policy is adherence and implementation of Texas Education Code, Section 51.9315 titled “Protection of Expression on Campus”. TSU ensures:

- (A) Free, robust, and uninhibited debate and deliberations by students enrolled herein, regardless of whether the students are on or off campus; and
- (B) Any person may assemble peaceably on the campus of TSU for Expressive Activities, including to listen to or observe the Expressive Activities of others.

Sections II (A) & (B) are subject to Section IV (2) relating to reasonable restrictions on time, place, and manner.

This Policy applies to all TSU students, employees, organizations, and visitors to campus. This Policy does not apply to official academic and administrative activities and functions of TSU. Nothing in this Policy is intended to prohibit faculty members from maintaining order in the classroom.

**III. DEFINITIONS:**

- (A) Amplified Sound - Sound that is increased or enhanced by any electric, electronic, or

mechanical means, including handheld devices such as megaphones and sound trucks. Other sound, specifically individual shouting or group chanting/singing, is subject to general regulations concerning disruption of official TSU functions.

- (B) **Antisemitism** - a certain perception of Jews that may be expressed as hatred toward Jews. The term includes rhetorical and physical acts of antisemitism directed toward Jewish or non-Jewish individuals or their property or toward Jewish community institutions and religious facilities. Examples of antisemitism are included with the International Holocaust Remembrance Alliance's 'Working Definition of Antisemitism' adopted on May 26, 2016. (See, Section 448.001 of the Texas Government Code defines Anti Semitism).
- (C) **Benefit includes:**
  - (1) Recognition by or registration with an institution of higher education;
  - (2) The use of an institution of higher education's facilities for meetings or speaking purposes;
  - (3) The use of channels of communication controlled by an institution of higher education;
  - (4) Funding sources made generally available to student organizations at an institution of higher education; and
  - (5) TSU Department of Public Safety ("DPS") Services as appropriate and necessary to ensure the safety of the TSU community and minimize disruption to the learning environment.
- (D) **Campus Grounds** - All outdoor areas owned, leased or controlled by TSU that are common and accessible to all students, employees, and visitors, such as sidewalks and park-like areas.
- (E) **Content Neutral**- means without regard to the substance or subject matter of the public expression or to the viewpoint(s) expressed therein.
- (F) **Expressive Activities** -Any speech or expressive conduct protected by the First Amendment to the United States Constitution or by Section 8, Article I, Texas Constitution, and includes assemblies, protests, speeches, the distribution of written material, the carrying of signs, and the circulation of petitions. **The term does not include commercial speech. The term also does not include: Fighting Words, Gratuitous Violence or True Threats.**
- (G) **Fighting words** - Using "abusive, indecent, profane, or vulgar language," of the kind likely to provoke a physical altercation.
- (H) **Gratuitous Violence** - means real or simulated graphic, realistic visual depictions of brutal acts of physical harm or cruelty to or the infliction of brutal physical harm or cruelty upon humans, animals, or human- or animal-like creatures and, taken as a whole, lacks discernible literary, artistic, political or scientific value.
- (I) **Literature** - Any printed material that does not concern a commercial transaction and is produced in multiple copies for distribution or publication to an audience, including but not limited to flyers, handbills, leaflets, placards, bulletins, newspapers, and magazines, but does not include any official TSU material.
- (J) **Ordinary University Operations** - means all day-to-day business and other functions of the

university, including but not limited to, academic instruction, administrative services, performance of employment responsibilities, facilities maintenance, and groundskeeping, creative activities, community events, campus safety and security, and the maintenance of a university-wide environment that is open, acceptable and welcoming to the university community.

- (K) True Threats - means a communicated statement that frightens or intimidates one or more specified persons into believing that they will be seriously harmed by the speaker or by someone acting at the speaker's behest.
- (L) TSU Material - Literature distributed under this Policy that contains the name "University", "Texas Southern University", or "TSU" or that contains any reference to affiliation with TSU.
- (M) Official TSU Function - All activities, events and programs sponsored by an academic or administrative unit of TSU.
- (N) Student - Any person who is currently enrolled and attending TSU and, for the purposes of this policy, it also includes student organizations and student groups.
- (O) Student Organization - Any organization that is composed mostly of students enrolled at TSU and that receives a Benefit from TSU.

#### IV. POLICY PROVISIONS:

- (A) TSU ensures that the common outdoor areas of the campus are deemed traditional public forums, and permit any person to engage in Expressive Activities in those areas of the campus freely; as long as the person's conduct is not unlawful, and does not materially and substantially disrupt the **ordinary university operation**.
- (B) The responsibility of TSU to operate and maintain an effective and efficient institution of higher education requires reasonable regulation of the time, place, and manner of assembly, speech, and other Expressive Activities on the grounds of TSU. Subject to these reasonable restrictions and procedures herein, members of TSU community will not need per se a permit from TSU to engage in such Expressive Activities.
  - (1) Reasonable time, place, and manner restrictions may be imposed on expressive activities to achieve a compelling university interest, including, but not limited to, ensuring ordinary university operations are not disrupted and to protect the safety and security of the university community and property.
  - (2) Time, place, and manner restrictions shall be determined by the university president or designee on a case-by-case basis, in consultation with the Department of Public Safety and the Office of General Counsel.
  - (3) Any and all time, place, and manner restrictions shall be the least restrictive means necessary to achieve the compelling university interest and must not effectively stop or prevent spontaneous expressive activities. Such restrictions must be designed to maximize opportunities and alternative channels for expressive activities.
  - (4) Any and all time, place, and manner restrictions on expressive activities shall be content neutral. 5. In the event the university deems it necessary to restrict expressive activities, the university will nevertheless, to the maximum extent

practicable, propose and provide alternate opportunities for such expressive activities.

- (C) In determining whether to approve a speaker to speak on campus or in determining the amount of a fee to be charged for use of TSU's facilities for purposes of engaging in Expressive Activities, TSU:
  - (1) Will consider only content-neutral and viewpoint-neutral criteria related to the needs of the event, such as:
    - (i) The proposed venue and the expected size of the audience;
    - (ii) Any anticipated need for campus security to ensure the safety of the TSU community and minimize disruption to the learning environment;
    - (iii) Any necessary accommodations; and
    - (iv) Any relevant history of compliance or noncompliance by the requesting Student organization or faculty member with the TSU's policy and any other relevant policies; and
- (D) May not consider any anticipated controversy related to the event.
- (E) Expressive activity may not create a vehicular or other safety hazard, substantially interrupt the safe and orderly movement of traffic, or constitute disruptive activity, defamation, riotous conduct or obscenity as those terms are defined by federal or state law; and may not impede access to other expressive activity, such as blocking the audience's view or preventing the audience from hearing a speaker. Displaying a sign, gesturing, wearing symbolic clothing, or otherwise protesting silently is permissible anywhere, unless it materially and substantially disrupts the functioning of TSU.
- (F) TSU will not take action against a Student organization or deny the organization any Benefit generally available to other student organizations at TSU on the basis of a political, religious, philosophical, ideological, or academic viewpoint expressed by the organization or of any Expressive Activities of the organization.
- (G) Amplification in the designated areas cannot exceed 92 decibels on the "A" scale at 50 feet from the source of amplification. Amplification will not be approved for any time period during the seven (7) calendar days preceding the final week of each fall and spring semester.
- (H) Requests submitted pursuant to the Procedures provisions in Section V to reserve within Campus Grounds or use Amplified Sound may not be denied based on the content of the proposed expressive activity. Requests may be denied only for the following reasons:
  - (1) An earlier request to reserve the same location and time has been made;
  - (2) The designated area or an adjacent area has been reserved for an official TSU function or the designated area is no longer suitable for use due to a conflict with a nearby official TSU function;
  - (3) The reservation or registration form is incomplete;
  - (4) The request exceeds more than fifteen (15) days in a semester or is for more than five consecutive days; or
  - (5) The request otherwise conflicts with this Policy.

- (I) Individuals and organizations engaged in expressive activity on Campus Grounds may be required to relocate to other areas by the Vice President for Student Services/designee or DPS when immediate action is necessary, under the following circumstances:
- (1) The noise generated by the activity disrupts an official TSU function or substantially interferes with resident housing life and activities (*e.g.*, the activity is too close to an academic, administrative or residential building);
  - (2) The location does not safely accommodate the number of participants;
  - (3) The number of individuals participating in or attending the activity creates unsafe conditions for vehicular or pedestrian traffic, or parking, or blocks the ingress or egress to buildings, staircases or official TSU activities;
  - (4) The space has been reserved for an official TSU function, has been reserved in accordance with this Policy, or a reserved location is needed for an official TSU function;
  - (5) The activity creates a health, safety or welfare hazard, such as interfering with fire, police or emergency services; or
  - (6) The activity interferes with the expressive activity of another individual or organization, such as blocking the audience's view of a speaker or preventing the audience from hearing a speaker.
- (J) Individuals involved in the setup of an outdoor exhibit or structure shall not damage TSU property or grounds, and are responsible for returning the area surrounding the exhibit or structure to its original condition.
- (K) Students, Student organizations, faculty and staff shall not unduly interfere with the Expressive Activities of others on Campus Grounds. Students, Student organizations, faculty, or staff suspected of such interference may be referred to the Dean of Students, Office of the Provost, or Human Resources, respectively, for investigation and disciplinary action, if applicable. Any discipline shall be in accordance with policies and procedures applicable to each group as follows:
- (1) Students and Student Organizations – Student Code of Conduct;
  - (2) Faculty – Faculty Manual; and
  - (3) Staff – Discipline and Termination Policy (02.05.03).
- (L) TSU understands and respects its obligation to intervene when speech violates federal anti-discrimination law, which prohibits discrimination based on race, color, national origin, or perceived religious or ethnic identity. Anti-Semitism and other hostility or prejudice directed towards members of a particular religion or ethnic identity have no place at TSU. Threats to harm another person, inciting of imminent violence, destruction of public property, unlawful conduct, including civil disobedience like sit-ins or traffic blockades are not protected speech and will be addressed through university policies and procedures.

## V. PROCEDURES

- (A) Persons who wish to organize parades, marches or rallies in areas that cross thoroughfares or would stop or slow traffic must notify the TSU Department of Public Safety (“DPS”) at least eight (8) business days in advance of the activity in order to ensure that the proposed route does not substantially interrupt the safe and orderly movement of traffic or create a safety hazard.

- (B) Visitors who plan to engage in expressive activity on Campus Grounds and have a reasonable expectation of attracting a crowd of fifty (50) or more people must notify DPS no fewer than two (2) weeks prior to the activity so that appropriate measures can be taken to ensure the safety of the TSU community and minimize disruption to the learning environment. Campus Grounds may be reserved on a first-come, first-served basis and are subject to the reservation procedures published by the Office of Student Services.
- (C) DPS will strive to respond to notifications regarding parades, marches or rallies, or Expressive Activities expected to draw a crowd of fifty (50) or more people, within two (2) business days.
- (D) Individuals may reserve locations within the Campus Grounds for a total of fifteen (15) days per semester and no more than five (5) consecutive days. DPS and Office of Event Services are responsible for:
  - (1) Identifying locations and establishing times for use within Campus Grounds and identifying locations and establishing times for use of Amplified Sound;
  - (2) Managing requests for reservation of Campus Grounds under this Policy;
  - (3) Relocating Expressive Activities as allowed under this Policy;
  - (4) Developing procedures for reserving areas for expressive activity and use of amplified sound and for registering for parades, marches and rallies;
  - (5) Creating forms for use in reserving Campus Grounds, using Amplified Sound, and registering for parades, marches and rallies; and
  - (6) Publishing the locations, times, procedures and forms required under this Policy at the beginning of each academic year.
- (E) If a reservation request is denied, DPS and/or Office of Event Services may, where feasible, propose measures to address any defects in the request. When the basis for denial is receipt of an earlier request for the same location and time, DPS and/or Office of Event Services will inform the individual or organization whose request is denied of other dates, times and locations that are available for reservation.
- (F) Advance reservation is required before Amplified Sound may be used on Campus Grounds. Students, employees, and visitors may use Amplified Sound on Campus Grounds only at the locations and times published by DPS and/or Office of Event Services. Amplified Sound areas may be reserved on a first-come, first-served basis and are subject to the reservation procedures published by Office of Event Services.
- (G) Students, employees, and visitors who distribute Literature are expected to collect such that is left over or that is on the ground in the area in which it is distributed. Literature may not be placed on automobiles (*e.g.*, under the windshield wipers) parked on TSU property.
- (H) Literature distributed under this Policy by a Student, employee, or visitor that contains the name “University”, “Texas Southern University”, or “TSU” or that contains any reference to affiliation with TSU (“TSU Material”), must include the statement that the Literature is not official TSU literature and does not represent the views or official position of TSU.
- (I) Exhibits may only be set up in accordance with this Policy. DPS and Office of Event Services must be contacted at least eight (5) business days prior to the proposed activity involving an outdoor exhibit or structure.

- (J) Outdoor exhibits and structures may be placed on Campus Grounds, except that individuals may place displays on easel-type supports that are open and accessible for expressive activity. Outdoor exhibits and structures are subject to the following limitations:
- (1) Exhibits and structures may not exceed twenty-five (25) feet in length or width or fifteen (15) feet in height;
  - (2) Exhibits and structures may not extend into or onto any sidewalks or walkways in such a way as to interfere with pedestrian or vehicular traffic or otherwise present an unreasonable threat to public safety; and
  - (3) The interior of three-dimensional structures or exhibits must be fully visible from at least one side of the exhibit or structure, and no exhibit or structure may provide opportunity for individuals to be completely secluded from view. Individuals setting up an outdoor exhibit or structure are responsible for cleanup of the area surrounding the exhibit or structure and shall return it to its original condition at the completion of the expressive activity.
- (K) Exception to the dimension limitations may be granted by DPS and/or Office of Event Services upon a showing by the individual or organization seeking the exception that the exhibit will not present a safety hazard and will not interfere with pedestrian or vehicular traffic. Proof of insurance to cover injury or damage to persons or property does not entitle the individual or organization to an exception to the dimension limitations. Requests for exception to the outdoor exhibit dimension limitations must be made at least eight (8) business days in advance of the desired display date.
- (L) Decisions related to use of Campus Grounds for expressive activity that are denied may be appealed to the Vice President of Student Services/designee no later than 5:00 p.m., on the second business day after notice of the decision that is being challenged is provided. The appeal must be made in writing and state the specific reason(s) the individual or organization disagrees with the decision. The appeal should include all information the individual or organization believes will assist the Vice President of Student Services/designee in reaching a determination on the matter. The Vice President of Student Services/designee will issue a written decision on the appeal within three (3) business days of its receipt. The decision is final.

## **VI. COMPLAINTS**

- (A) Any member of the TSU community who feels their right to Public Expression has been infringed upon or otherwise violated, or believes this policy has not been followed or has been misapplied may contact the TSU Compliance Office to submit a complaint.

## **VII. VIOLATIONS**

- (A) Any individual who violates this policy may be removed and/or trespassed from TSU or a TSU-sponsored activity and/or denied the ability to reserve TSU's public areas for future public expression events/activities.
- (B) Any violations of this policy by a TSU student or employee that also constitutes a separate violation of TSU policy may be subject to additional applicable sanctions pursuant to the Student Code of Conduct or applicable TSU policy, respectively, as outlined in IV (K) above.

- (C) Any violation of this policy that also constitutes a violation of federal or state law may also subject an individual or group to additional sanctions, including criminal arrest, prosecution, and/or civil penalties.

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Bylaws and Policy (Ad Hoc)  
**ITEM:** Request Approval on the Senate Bill 17 Proposed Policy  
**DATE PREVIOUSLY SUBMITTED:** N/A

**SUMMARY:**

The Office of General Counsel will provide an update on the directives, guidelines, and policies, to come into compliance with Senate Bill 17 regarding Diversity, Equity, and Inclusion initiatives and will request approval of the proposed policy.

**SUPPORTING DOCUMENTATION:** SB17 Policy Proposal  
**FISCAL IMPACT:** No Fiscal Impact  
**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



GENERAL COUNSEL

06/06/2024

DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



INTERIM CHIEF FINANCIAL OFFICER

06/06/2024

DATE



PRESIDENT

06/06/2024

DATE

**TO: General Administration**

**AREA: Compliance and Policy Enforcement<sup>1</sup>**

**SUBJECT: SB 17 - Diversity, Equity, and Inclusion Initiatives**

---

**1. PURPOSE & SCOPE.**

1.1. This policy implements Senate Bill 17, Texas Education Code § 51.3525, passed by the Texas Legislature during the 2023 term. Texas Southern University (“TSU”) is committed to compliance with applicable federal and state laws, including Title VI of the Civil Rights Act of 1964 (“Title VI”), Title VII of the Civil Rights Act of 1964 (“Title VII”), Title IX of the Education Amendments Act of 1972 (“Title IX”), and Texas Education Code Section 51.3525, as applicable to Diversity, Equity, and Inclusion initiatives. This policy does not apply to those items listed in Section 4, including but not limited to, statements protected by any Board of Regents’ policy pertaining academic freedom and any TSU policy regarding freedom of expression. Any policy recommended in conflict with these provisions will not apply.

**2. DEFINITIONS.**

2.1. **DEI:** Diversity, Equity, and Inclusion as defined by SB 17 means engaging in any of the following activities:

- 2.1.1. Influencing hiring or employment practices with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws;
- 2.1.2. Promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity;
- 2.1.3. Promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, except as expressly authorized by OGC and in accordance with federal or state law; or
- 2.1.4. Conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than those expressly authorized by OGC in accordance with federal or state law.

2.2. **DEI OFFICE:** An office, division, or other unit of an institution of higher education established for the purpose of: (1) influencing hiring or employment practices at the institution with respect to race, sex, color, or ethnicity, other than through the use of color-blind and sex-neutral hiring processes in accordance with any applicable state and federal antidiscrimination laws; (2) promoting differential treatment of or providing special benefits to individuals on the basis of race, color, or ethnicity; (3) promoting policies or procedures designed or implemented in reference to race, color, or ethnicity, other than policies or procedures approved in writing by the institution’s general counsel and the Texas Higher Education Coordinating Board for

---

<sup>1</sup> Policy is pending review

the sole purpose of ensuring compliance with any applicable court order, state, or federal law; or (4) conducting trainings, programs, or activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation, other than trainings, programs, or activities developed by an attorney and approved in writing by the institution's general counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order, state, or federal law.

2.3. **SPECIAL BENEFIT:** A term, condition, opportunity, or privilege that is unavailable, or substantially better than what is available, or provided to others.

### 3. POLICY.

3.1. The following provisions apply to all offices, divisions, and units (academic and administrative) within TSU, unless excluded under Section 4.

- 3.1.1. No person shall be compelled, required, induced, or solicited to provide a DEI Statement, or shall make a DEI Statement on behalf of TSU or its affiliates, including any division, department, or unit, or shall give preferential consideration to another person based on the provision of a DEI Statement. For purposes of this policy, a DEI Statement is any statement relating to DEI, written or otherwise, that is contrary to TSU or university policies or federal or state law, including Title VI, Title VII, Title IX, and/or Texas Education Code Section 51.3525, but does not include statements protected by any Board of Regents' or TSU policy pertaining to freedom of expression and academic freedom. "Preferential consideration" means treating one person more favorably than another, in any respect, because of their inclusion or provision of a DEI statement in materials they provide to the institution.
- 3.1.2. No applicant for employment, employee, or participant in any function of TSU shall be given preference on the basis of race, sex, color, ethnicity, or national origin. To "give preference on the basis" an attribute means to treat one person more favorably than another, in any respect, because of that attribute.
- 3.1.3. No training, program or activity that includes content designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation shall be mandatory (*i.e.*, required as a condition before a person can enroll at the university, be employed by the university, or perform any university function) unless it is developed by an attorney and approved in writing by the President, Vice President, Board of Regents, and General Counsel and the Texas Higher Education Coordinating Board for the sole purpose of ensuring compliance with any applicable court order, state, or federal law.
- 3.1.4. No division, department, or unit (academic or administrative) shall establish or maintain a DEI Office.
- 3.1.5. No division, department, or unit (academic or administrative) shall hire or assign an employee or contract with a third party to perform the duties of a DEI Office.
- 3.1.6. No state appropriated funds shall be spent in violation of this policy or the requirements of Section 51.3525 of the Texas Education Code.

#### **4. POLICY EXCLUSIONS.**

4.1. Required by Federal Law. This policy does not prohibit conduct that is required by federal law, even if the conduct falls under Section 3.

4.2. Protected Statements. This policy does not prohibit statements protected by the Board of Regents' policy on Academic Freedom and the TSU Freedom of Expression Policy.

4.3. Statements to Grantor or Accrediting Agency.

4.3.1. This policy does not prohibit a statement highlighting TSU work in supporting first-generation college students, low-income students, or underserved student populations that is submitted for the purpose of applying for a grant or complying with the terms of accreditation by an accrediting agency.

4.3.2. This policy does not prohibit a statement certifying compliance with state and federal anti-discrimination laws that is submitted for the purpose of applying for a grant or complying with the terms of accreditation by an accrediting agency.

4.4. Other Exclusions. This policy does not apply to any of the following:

4.4.1. Academic course instruction;

4.4.2. Scholarly research or creative work by students, faculty, or other research personnel (which may include staff), or the dissemination of that research or work;

4.4.3. An activity of a registered student organization;

4.4.4. Guest speakers or performers on short-term engagements;

4.4.5. A policy, practice, procedure, program, or activity to enhance student academic achievement or postgraduate outcomes that is designed and implemented without regard to race, sex, color, or ethnicity;

4.4.6. Data collection; or

4.4.7. Student recruitment or admissions.

4.5 Prohibited "DEI trainings" do not include annual equal employment opportunity and Title IX compliance trainings, including sexual harassment training, for faculty, staff, and students designed to educate on legal obligations and the university's commitment to treating employees, students, and applicants consistently and fairly without regard to protected classifications, including race, color, sex, sexual orientation, gender identity, pregnancy, religion, national origin, age, disability, genetic information, citizenship status, and veteran status. The trainings identify applicable federal and state laws and university policies, explain definitions, describe employee and student rights and reporting requirements, outline complaint reporting procedures, and emphasize the prohibition on retaliation.

Similarly, prohibited "DEI trainings" do not include trainings required of students, faculty, or staff as a sanction for violating university policies regarding compliance with Title IX, Title VII, and Chapter 21 of the Texas Labor Code or similar federal or state laws, if designed to educate recipients on compliance with university policies.

4.6 University Investigative Units. The prohibitions in this policy do not apply to university investigative units that must sometimes consider race, color, ethnicity, gender identity, or sexual orientation in reaching determinations on alleged violations of state or federal law and/or institutional policies.

4.7 Recognized History Events. The prohibitions in this policy do not apply to university activities to participate in state, federal, or other widely recognized history events, including but not limited to Black History Month, Hispanic Heritage Month, Women's History Month, and Pride Month.

## **5. NONCOMPLIANCE.**

5.1 An employee or contractor of TSU who violates this policy is subject to disciplinary action, up to and including termination of employment or contract, as applicable.

## **6. INSTITUTION COMPLIANCE AND CERTIFICATION.**

6.1. TSU shall annually provide training concerning the requirements of Texas Education Code §51.3525, this policy, and permitted and prohibited activities. All training developed under this policy shall identify one or more points of contact to resolve questions and concerns.

6.2 TSU's Audit and Compliance departments shall annually review and submit written findings to the President and Board of Regents concerning the institution's compliance with Section 51.3525 of the Texas Education Code and this policy. The required timing of the annual reviews will be prescribed by the Board of Regents.

6.2. The Vice President shall, upon confirming the institution's compliance with this policy, submit to the President a certification on behalf of TSU that the institution complies with this policy. The President shall present this certification to the Board of Regents.

6.3. The required form and timing of TSU's certification will be prescribed by the President.

6.4. TSU may not spend money appropriated to the institution for a state fiscal year until the Board of Regents submits to the legislature and the Texas Higher Education Coordinating Board a report certifying the board's compliance with this Section during the preceding state fiscal year. This provision applies beginning with funds appropriated for the fiscal year starting September 1, 2024.

6.5 In the interim between each regular session of the legislature, the Board of Regents, or its designee, shall testify before the standing legislative committees with primary jurisdiction over higher education at a public hearing of the committee regarding the board's compliance with Section 51.3525 of the Texas Education Code and this policy.

## **7. STATE AUDIT FOR COMPLIANCE with TEXAS EDUCATION CODE §51.3525(g).**

7.1. Upon receiving notice from the state auditor of an audit of the institution under Texas Education Code §51.3525, the University shall promptly notify TSU Auditing Department, Vice President, and General Counsel of the pending audit.

7.2. The University is required to cooperate with the state auditor conducting the statutory audit.

7.3. If the University receives an audit finding of a violation under Texas Education Code §51.3523, it must resolve the violation no later than 180 days. If the violation is not cured, the University shall be ineligible to receive formula funding increases, institutional enhancements, or exceptional items during the state fiscal biennium immediately following the state fiscal biennium in which the determination is made.

7.4 The University shall coordinate with the Texas Higher Education Coordinating Board to complete the statutorily required biennial study.

**8. REVIEW AND RESPONSIBILITY.**

8.1 Responsible Party: President, Board of Regents, and General Counsel

Review: Every five years

**TEXAS SOUTHERN UNIVERSITY  
BOARD OF REGENTS AGENDA**

**COMMITTEE:** Personnel and Litigation

**ITEM:** Request Approval to Renew the Contract for Consulting Services in the Division of University Advancement

**DATE PREVIOUSLY SUBMITTED:** 8/2023

**SUMMARY:**

The University sought competitive Requests for Proposals (RFP 717-23-734) from contractors for these services, with public advertisements posted on the Electronic State Business Daily site per Texas Government Code § 2155.083.

The University shall award the contract to a respondent whose proposal provides the best value to the State of Texas and Texas Southern University, as defined by Texas Government Code, § 2155.074.

**SUPPORTING DOCUMENTATION:** Proposal (Under Separate Cover)

**FISCAL IMPACT:** Not to Exceed: \$325,000

**ACTION REQUESTED:** Administration recommends approval of this item

**Legal Certification:** Based on available information to date, this action item and its implementation will not be in violation of any applicable federal, state, or local law, or regulation.



GENERAL COUNSEL

06/06/2024

DATE

**Fiscal Certification:** This fiscal note shown above details the true and actual positive or negative fiscal effect that implementation of this proposal will achieve.



INTERIM CHIEF FINANCIAL OFFICER

06/06/2024

DATE



PRESIDENT

06/06/2024

DATE