



# TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO

## Operating Policy and Procedure

**HSCEP OP:** 10.11, **Delegation of Authority by the President**

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

**REVIEW:** This HSCEP OP will be reviewed on June 1 of each even-numbered year (ENY) by the chief financial officer (CFO) with recommendations for revision submitted to the President by July 1.

### **POLICY/PROCEDURE:**

#### **I. Authority.**

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

**II. Personnel.** The president delegates to the vice presidents and the deans the authority to approve the following transactions within the administrative area for which the recipient of the delegation is responsible, in accordance with established TTUHSC El Paso personnel policies and procedures, the appropriate classification system, the TTUHSC El Paso pay plan, approved budget allocations, *Regents' Rules*, the General Appropriations Act and state and federal statutes.

- A. **Appointment of TTUHSC El Paso Personnel.** Appointment to non-faculty positions will be in accordance with HSCEP OP 70.11. The president delegates the power to appoint faculty to the deans of the health professional schools; however, the president retains the authority to approve faculty employment agreements in excess of four years in accordance with *Regents' Rules*. The power and authority to appoint permanent vice

presidents and deans are retained by the president.

The president delegates the authority to approve newly created positions which were not budgeted in the current fiscal year operating budget except current restricted positions as noted in HSCEP OP 70.24.

- B. **Salary and Compensation for TTUHSC El Paso Personnel.** The president delegates the authority to adjust salary and compensation for non-faculty personnel in accordance with the provisions in HSCEP OP 70.11; however, the president retains the authority to approve adjustments to the salaries of the vice presidents and deans of the health professional schools.

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

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

The president delegates the authority to the appropriate dean/vice president (after review and approval by Human Resources) to approve adjustments to an employee's salary and compensation when the increase was not budgeted in the current fiscal year operating budget.

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

- C. **Change of Status of TTUHSC El Paso Personnel.** The president delegates the authority to approve the change of status of TTUHSC El Paso non-faculty personnel in accordance with the provisions in HSC OP 70.11 and HSC OP 70.24 provided such changes are within existing budgets in the current fiscal year operating budget.

To ensure compliance with *Regents' Rules* and TTUHSC El Paso policies, all salary adjustments and change of status for faculty employees are to be reviewed and approved by the dean of the respective health professional school.

- D. **Approval of Request for Outside Employment.** The president delegates the authority to approve requests for outside employment by TTUHSC El Paso personnel in accordance with the provisions in HSCEP OP 70.18 *Dual Reporting and Outside Employment*.

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

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

- F. **Acceptance of Resignation of TTUHSC El Paso Personnel.** The president delegates authority to accept the resignations of non-faculty personnel in accordance with the provisions of HSCEP OP 70.31. The president delegates the authority to accept the resignations of faculty to the dean of the appropriate health professional school.

- G. **Termination of Employment of TTUHSC El Paso Personnel.** The president delegates the authority to approve the termination of employment of TTUHSC El Paso personnel not holding tenure in accordance with the provisions within this section and institutional policy for discipline and discharge. The authority to approve the termination of employment of TTUHSC El Paso personnel holding tenure rests with the Board of Regents.

The authority to approve the termination of employment of TTUHSC El Paso personnel not holding tenure shall not be further delegated below the rank of dean or vice president.

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

- H. **Compliance with Personnel Policy.** The president retains the authority and responsibility for:

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

The president delegates the following responsibilities to the CFO:

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

### III. **Institutional Funds.**

- A. **Moving Expenses for Persons to be Employed by TTUHSC El Paso.** The president delegates to the vice presidents and the deans the authority to approve the payment of moving expenses incurred by persons to be employed by TTUHSC El Paso within their respective administrative areas of responsibility, provided, however, that such payment of expenses shall not be made from appropriated state funds and further provided that:

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

These administrators may make further delegation to heads of activities under their jurisdiction; however, an individual to whom the president has delegated authority is still

primarily responsible, irrespective of any further delegation to subordinate officers.

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

C. **Contracting and Purchasing Goods and Services.** The president delegates to the CFO the authority to promulgate policies and procedures for contracting and purchasing of all required supplies, equipment, and services which are used by the institution in accordance and compliance with established TTUHSC El Paso policies and procedures, *Regents' Rules*, the General Appropriations Bill, and state and federal statutes. Under the provisions of *Regents' Rules* for Contracting Policies and Procedures, the president hereby delegates to the CFO and chief operating officer (COO) the authority to approve and sign contracts where, by board policy, the president is required to approve and sign.

All heads of administrative areas of responsibility, including vice presidents, deans, chairpersons and directors, are directed to initiate and process all purchase orders for such items through the Purchasing Office and all contracts through the Office of Contracting unless exempted by written TTUHSC El Paso procedures, and additionally, to process contracts on significant or unusual items through the Office of General Counsel.

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

IV. **Provost.** The President delegates to the Provost the authority for management, supervision, and direction of the areas under his/her control, including the following areas and activities of the institution, unless *Regents' Rules* require Chancellor or Board of Regents approval:

A. Serves as chief academic officer for the institution. Oversees all academic areas including program accreditation processes for all schools.

B. Engages in strategic planning, directing the growth of academic and student affairs programs; developing academic policy and fiscal management of the academic programs; and

C. Responsible for all operations of the institution related to academic leadership, curriculum, personnel management for the academic divisions, budget planning and fiscal management for the academic divisions.

V. **Chief Financial Officer.** The president delegates to the CFO the authority for management, supervision, and direction of the areas under his/her control, including the following areas and activities of the institution, unless *Regents' Rules* require chancellor or Board of Regents approval:

A. **Finance and Administration:**

1. Institutional financial planning, accounting and fiscal management;

2. Business Affairs, including the services of Accounting, Purchasing and Contracting (Contracting is jointly managed with the COO), Property Inventory, Purchasing, Payment Services (Travel, Accounts Payable, Purchasing Card), Student Business Services (Bursar), and General Services (Printing Center,

Copy/Mail Services, Surplus Property, Shipping/Receiving, Electronic Imaging), and the financial analysis and reporting for these services;

3. Budgeting Services, including the services of the Budget Office, responsible for institutional budget preparation, operation, and control; and preparation of legislative appropriations requests;
4. Personnel administration including Wage and Salary, Benefits and Recruiting and maintaining institutional personnel records, and training; and
5. Historically Underutilized Business (HUB) Director – responsible for institutional compliance with the agency's good faith effort criteria, HUB reporting requirements, contract administration, and marketing and outreach efforts to increase HUB participation.

- B. Approval of all personnel actions including approval of new positions, salary increases, reclassifications, etc.
- C. Approval of contracts and budget revisions; and
- D. Approval of institutional memberships.

VI. **Chief Operating Officer.** The President delegates to the COO the authority for management, supervision, and direction of the areas under his/her control, including the following areas and activities of the institution, unless *Regents' Rules* require chancellor or Board of Regents approval:

- A. Traffic and Parking;
- B. Vehicle Rental; and
- C. Physical Plant and Support Services provided by Plant Operations, Energy Management, Lock Shop, Grounds Maintenance, Safety and Contacting Services.
- D. Approval of contracts (jointly managed with CFO).

VII. **Chief Clinical Administrative Officer.** The President delegates to the CCAO the authority for management, supervision, and direction of the areas under his/her control, including the following areas and activities of the institution, unless *Regents' Rules* require Chancellor or Board of Regents approval:

- A. Clinical administrator oversight;
- B. Standardization of clinical practices;
- C. Standardization of staffing models; and
- D. Development of new practice plans.

VIII. **Vice President for Research.** The President delegates to the vice president of research the authority for management, supervision, and direction of the research division, including the following areas and activities of the institution under his/her control:

- A. Office of Sponsored Programs;
- B. Research Integrity Office, including Institutional Animal Care and Use Committee

Administration, Institutional Review Board Administration and Research Compliance;

- C. Laboratory Animal Research Center; and
  - D. Signature authority on all sponsored program grants and contracts and all clinical trial agreements.
- IX. **Deans of the Health Professional Schools.** The president delegates to the deans of the health professional schools the authority to direct and coordinate the health professional schools and their academic and operational affairs, including faculty affairs, clinical affairs, student affairs, graduate programs, continuing education programs, faculty practice plans and resident physician training programs.
- X. **Vice President for Academic Affairs (VPAA).** The president delegates to the VPAA the authority for management, supervision and direction of the areas under his/her control, including the following areas and activities of the institution:
- A. Student Services, Student Financial Aid, the Registrar, and all related student activities;
  - B. Libraries, including information systems, public and technical services, and extramural services;
  - C. Office of Institutional Research and Effectiveness; and
  - D. Office of Diversity, Inclusion and Global Health.
- XI. **Information Technology.** The President delegates to the associate vice president for information technology/chief information officer the authority to provide direction to the following areas and activities of the institution:
- A. Role of Institutional Resources Manager (IRM) in accordance with Texas Administrative Code, Title 1, Part, 10, Chapter 211C;
  - B. Security, Technology and Information Services and all information resource services performed including administrative, research, and academic data processing, and development of institutional long range plans for information resources; and
  - C. Continuing and distance education services and all related infrastructure and services.
- XII. **Institutional Compliance.** The President delegates to the Institutional Compliance Officer (ICO) the authority for management, supervision and direction of the institutional compliance program as outlined in HSCEP OP 52.01, with primary responsibility for clinical billing and HIPAA privacy compliance.
- XIII. **Communications and Marketing.** The President delegates to the associate vice chancellor for Communications and Marketing the authority for management, supervision and direction of the areas under his/her control, to include:
- A. Responsibility for all components of communications and marketing; and
  - B. Developing and implementing strategic communications to improve TTUHSC El Paso's branding and marketing image.
- XIV. **Development and Alumni.** The President delegates to the associate vice chancellor for Institutional Advancement authority for management, supervision and direction of the areas under

his/her control, to include collaborating to effectively provide service and support to the institution, our alumni, and the communities.

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

- A. The duties of the president will necessitate absence from the campus. During an absence, and if the president is not in instant reach, an emergency may arise that requires action and any delay could cause undesirable effects. Under this situation, the president authorizes, in the role as acting president, the provost to act on academic matters, and the CFO or COO to act on administrative matters. However, the President can normally be reached promptly through his office staff, so if a matter arises that needs his attention, he is to be contacted as soon as possible and informed of the emergency. When this contact has been established, the role of acting president ceases. In the absence of the CFO or COO, one of the other vice presidents or deans will be named on a case by case basis.
  
- B. The acting president has the authority to handle emergency situations in accordance with the standard operating procedures of the institution and presidential directives applicable to the situation. The acting president is expected to work with other vice presidents, deans, or appropriate officers in a participative manner when an issue involves their areas of responsibilities and is expected to be strongly guided by the judgments of those responsible individuals.