

APPENDIX I

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Last Updated October 19, 2006

BYLAWS

BYLAW 5. Composition and Powers of the Corporation

5.1 Composition and Powers.

The form and composition of this Corporation, its duties, and its powers are prescribed by the provisions of Section 9 of Article IX of the Constitution of the State of California, as follows:

- a. The University of California shall constitute a public trust to be administered by the existing corporation known as "The Regents of the University of California," with full powers of organization and government, subject only to such legislative control as may be necessary to insure the security of its funds and compliance with the terms of the endowments of the university and such competitive bidding procedures as may be made applicable to the university by statute for the letting of construction contracts, sales of real property, and purchasing of materials, goods, and services. Said corporation shall be in form a board composed of seven ex officio members, which shall be: The Governor, the Lieutenant Governor, the Speaker of the Assembly, the Superintendent of Public Instruction, the president and the vice president of the alumni association (*) of the university and the acting president of the university, and 18 appointive members appointed by the Governor and approved by the Senate, a majority of the members concurring; provided, however, that the present appointive members shall hold office until the expiration of their present terms.

- b. The terms of the members appointed prior to November 5, 1974, shall be 16 years; the terms of two appointive members to expire as heretofore on March 1st of every even-numbered calendar year, and two members shall be appointed for terms commencing on March 1, 1976, and on March 1 of each year thereafter; provided that no such appointments shall be made for terms to commence on March 1, 1979, or on March 1 of each fourth year thereafter, to the end that no appointment to the regents for a newly commencing term shall be made during the first year of any gubernatorial term of office. The terms of the members appointed

for terms commencing on and after March 1, 1976, shall be 12 years. During the period of transition until the time when the appointive membership is comprised exclusively of persons serving for terms of 12 years, the total number of appointive members may exceed the numbers specified in the preceding paragraph.

In case of any vacancy, the term of office of the appointee to fill such vacancy, who shall be appointed by the Governor and approved by the Senate, a majority of the membership concurring, shall be for the balance of the term for which such vacancy exists.

- c. The members of the board may, in their discretion, following procedures established by them and after consultation with representatives of faculty and students of the university, including appropriate officers of the academic senate and student governments, appoint to the board either or both of the following persons as members with all rights of participation: a member of the faculty at a campus of the university or of another institution of higher education; a person enrolled as a student at a campus of the university for each regular academic term during his service as a member of the board. Any person so appointed shall serve for not less than one year commencing on July 1.
- d. Regents shall be able persons broadly reflective of the economic, cultural, and social diversity of the state, including ethnic minorities and women. However, it is not intended that formulas or specific ratios be applied in the selection of regents.
- e. In the selection of the Regents, the Governor shall consult an advisory committee composed as follows: The Speaker of the Assembly and two public members appointed by the Speaker, the President Pro Tempore of the Senate and two public members appointed by the Rules Committee of the Senate, two public members appointed by the Governor, the chairman of the regents of the university, an alumnus of the university chosen by the alumni association of the university, a student of the university chosen by the Council of Student Body Presidents, and a member of the faculty of the university chosen by the academic senate of the university. Public members shall serve for four years, except that one each of the initially appointed members selected by the Speaker of the Assembly, the President Pro Tempore of the Senate,

and the Governor shall be appointed to serve for two years; student, alumni, and faculty members shall serve for one year and may not be regents of the university at the time of their service on the advisory committee.

- f. The Regents of the University of California shall be vested with the legal title and the management and disposition of the property of the university and of property held for its benefit and shall have the power to take and hold, either by purchase or by donation, or gift, testamentary or otherwise, or in any other manner, without restriction, all real and personal property for the benefit of the university or incidentally to its conduct; provided, however, that sales of university real property shall be subject to such competitive bidding procedures as may be provided by statute. Said corporation shall also have all the powers necessary or convenient for the effective administration of its trust, including the power to sue and to be sued, to use a seal, and to delegate to its committees or to the faculty of the university, or to others, such authority or functions as it may deem wise; The Regents shall receive all funds derived from the sale of lands pursuant to the act of Congress of July 2, 1862, and any subsequent acts amendatory thereof. The University shall be entirely independent of all political or sectarian influence and kept free therefrom in the appointment of its regents and in the administration of its affairs, and no person shall be debarred admission to any department of the university on account of race, religion, ethnic heritage, or sex.

Meetings of The Regents of the University of California shall be public, with exceptions and notice requirements as may be provided by statute.

(*) "associations" as of 10-87

Includes amendments through November 2, 1976

BYLAW 8. Special Provisions Relating to Regents

8.1 Compensation of Regents.

No Regent shall receive salary or other compensation for services as a Regent nor shall any Regent other than the President of the University be eligible for appointment to any position in connection with the University for which a salary

or other compensation is paid, provided, however, that the student Regent shall not be deemed ineligible for part-time compensated University employment. A Regent may be reimbursed for actual expenses incurred by reason of attendance at any meeting of the Board or a Committee thereof or in the performance of other official business of the Corporation. Members of the Board of Regents serving as representatives of The Regents of the University of California to the California Postsecondary Education Commission may receive stipends as provided by law for attending meetings of the Commission or of its committees or subcommittees.

8.2 Gifts, Contracts, and Grants.

Except when specifically authorized by the Board, no Regent shall make or enter into any contract, commitment, or other undertaking on behalf of the Corporation; accept or agree to undertake the administration of any gift or grant offered to the University or to the Corporation for the benefit of the University; or undertake or agree to undertake the management, disposition, or expenditure of any fund provided to be used for the benefit of the University.

8.3 Service on University Committees.

Except when specifically authorized by the Board, no Regent shall serve on a campus or University-wide standing administrative committee.

Includes amendments through March 20, 1981

BYLAW 12. Responsibilities of Standing Committees

12.1 Committee on Audit.

The Committee on Audit shall:

- a. Advise the Board of Regents regarding the Board's responsibilities to oversee:
 1. the quality and integrity of the University financial reporting and financial statements, and compliance with legal and regulatory requirements;

2. the performance, functions and disclosures of internal control and risk management systems regarding finance, accounting, compliance and ethics (including sexual harassment, discrimination, and conflicts of interest), and assure the adequacy of such systems, policies, procedures and practices throughout the University; and
 3. the independent certified public accountant's qualifications and independence and the performance of the internal audit function and independent certified public accountant.
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- b. Meet at least four times per year.
 - c. Monitor the University's system of internal controls and the adequacy of the accounting, financial and operational policies and practices related to financial, accounting and compliance and ethics reporting.
 - d. Review the annual internal audit plan and discuss the extent to which it addresses high risk areas with the University Auditor and management.
 - e. Review the annual report on the accomplishments of the internal audit department and discuss significant issues of internal control and compliance with the University Auditor and management.
 - f. Discuss the planned scope of the annual independent audit and other engagements with the independent certified public accountants and review the results of the audit and other engagements with the independent certified public accountants and management.
 - g. Receive and review the annual financial report with the independent certified public accountants and management.
 - h. After considering the recommendations of management, recommend to the Board the certified public accountants to serve as independent auditor and the scope of their annual audit, and approve any services other than audit and audit related services provided by the certified public accountants.
 - i. Have the power, through its chair or a majority vote of the Committee members, to request management to address specific issues within the mandate of the Committee, and have the authority to engage independent counsel and other advisors to carry out its duties.

- j. Assure that the internal audit function reviews and examines policies and procedures in a comprehensive manner to assure that all facets of the University are undertaking such implementation in a clear, consistent, and effective manner.
- k. Approve the internal audit mission statement, charter, and other governance documents related to both internal and external auditing activities in the University.

12.2 Committee on Educational Policy.

The Committee on Educational Policy shall:

- a. Consider and report to the Board on matters concerned with the substantive aspects of policies and programs related to the educational philosophy and objectives of the University; with University relations; and with academic planning, instruction, and research.
- b. Act in an advisory capacity to the President of the University on student affairs; on the planning and programming of Inauguration, Charter Day, Commencement programs, and other public ceremonies; on candidates for honorary degrees; and with respect to appointments of Regents' Professors and University Professors, and with respect to appointments of such Officers of the University as may be appropriate for consideration by the Committee as determined by the President.
- c. Consider and report to the Board on matters relating to the research, training, and public service activities of the University and recommend to the Board the establishment or disestablishment of colleges, schools, and graduate divisions, organized multicampus research units and other major research activities, special training programs, and public service undertakings, except for matters assigned to the Committee on Oversight of the Department of Energy Laboratories.
- d. Consider and recommend to the Board on the solicitation and acceptance or execution of grants and contracts for research, training, and public service, except as otherwise provided in the Bylaws and Standing Orders, provided, however, that all actions relating to research that require the appropriation of University funds not already appropriated, or that would commit the University to an appropriation of its funds, shall be subject to approval by the Committee on Finance.

- e. Recommend to the Board policies relating to the securing of gifts and endowments for the University and the acceptance, use, and allocation of such gifts and endowments, except as otherwise provided in the Standing Orders, provided, however, that recommendations to the Board as to the acceptance, use, and allocation of gifts of real property shall be subject to the concurrence of the Committee on Finance.
- f. Consider and recommend to the Board policies relating to organized efforts to solicit grants, pledges, and gifts for any University purpose from multiple sources such as individuals, firms, corporations, foundations, groups, and/or organizations.

12.3 Committee on Finance.

The Committee on Finance shall:

- a. Consider all matters relating to the business management of the University and the Corporation.
- b. Except as otherwise provided in the Standing Orders, propose all appropriations of funds and all modifications of or additions to such appropriations, and no expenditure of University funds, except as the Board may order, shall be made otherwise than pursuant to appropriations recommended by the Committee and confirmed by the Board.
- c. Consider and recommend to the Board the annual budget of the University and requests for appropriation of funds for the University, as prepared by the President of the University.
- d. Except as otherwise provided in the Standing Orders, recommend to the Board on matters which commit the University to expenditures in future fiscal years.
- e. Except as otherwise provided in the Bylaws and Standing Orders, consider matters relating to the external financing of projects as defined in Bylaw 21.4(e) and Standing Order 100.4(nn).
- f. Have the power at all times to take such steps as necessary in the interests of the University in connection with budget requests and proposed legislation, in the absence of limitations imposed upon the Committee by the Board.

- g. Consider and approve the setting or amending of fixed payment in lieu of indirect costs applicable to contracts for management and operation of the major United States Department of Energy Laboratories.
- h. Determine the amounts and character of surety bonds to be required of officers and employees, and designate the company or companies which shall write the bonds, provided that the company or companies so designated shall be chosen from a list of companies theretofore approved by the Board.
- i. Except as otherwise provided in the Bylaws or the Standing Orders, consider and recommend to the Board all matters relating to the purchase, sale, or lease of real property, and review and report to the Board on the recommendations of the Committee on Educational Policy as to the acceptance, use, and allocation of gifts of real property.
- j. Except as otherwise provided in the Bylaws, open, maintain, and close bank accounts, both savings and commercial, in the name of the Corporation; prescribe the conditions under which deposits shall be made and funds shall be withdrawn, and, except as otherwise provided in the Bylaws or the Standing Orders, designate the representatives of the Corporation who may make withdrawals.
- k. Consider and recommend to the Board on matters concerning patent policies, including reports and recommendations presented by the President of the University.
- l. Act in an advisory capacity to the President of the University with respect to appointments of such Officers of the University as may be appropriate for consideration by the Committee, as determined by the President.
- m. Advise the President and recommend to the Board with regard to the assessment of the University Registration Fee, Educational Fee, tuition fees, compulsory student government fees, and fees and charges required in connection with the funding of loan financed projects, except housing projects and parking facilities.
- n. Consider and recommend to the Board the annual budget of the Treasurer of The Regents upon recommendation of the Treasurer following review and recommendation by the Committee on Investments with respect to the portion to be charged to investment assets.

12.4 Committee on Grounds and Buildings.

The Committee on Grounds and Buildings shall:

- a. Consider matters relating to the grounds and buildings of all campuses, stations, observatories, and other real property of the University used for campus-related purposes as defined in Standing Order 100.4(ff).
- b. Approve plans for improvements, direct the taking of bids, and recommend to the Board the award and execution of construction and equipment contracts, except as otherwise provided in the Standing Orders.
- c. Consider capital improvement requests as defined in Standing Order 100.4(q) and make recommendations in connection therewith to the Board.
- d. Act in an advisory capacity to the President of the University with respect to appointments of such Officers of the University as may be appropriate for consideration by the Committee, as determined by the President.

12.5 Committee on Investments.

The Committee on Investments shall:

- a. Manage the investments and investment properties of the Corporation.
- b. Authorize the purchase, sale, or lease of real property held or acquired for investment purposes, and the construction and repair of buildings thereon; the loan of funds of the Corporation; the purchase, sale, transfer, or exchange of bonds, stocks, and other securities; and the transfer of investments among specific funds of the Corporation when such transfers of investments are not in conflict with the terms of any endowments which would be affected thereby; provided, however, that no loan from the funds of the Corporation, other than loans related to investment of funds under the Committee's jurisdiction, shall be effective until confirmed by the Board.
- c. By appropriate resolution or resolutions, at all times maintain in force a system of custodianship of all securities.
- d. Report periodically to the Board concerning the investment operations of the University.

- e. Consider and recommend to the Committee on Finance upon recommendation of the Treasurer the portion of the annual budget of the Office of the Treasurer charged to investment assets.

12.6 Committee on Oversight of the Department of Energy Laboratories.

The Committee on Oversight of the Department of Energy Laboratories shall:

- a. Consider and report to the Board, or to appropriate Committees of the Board, on matters concerning relations with the United States Department of Energy and matters relating to the Ernest Orlando Lawrence Berkeley Laboratory, the Ernest Orlando Lawrence Livermore National Laboratory, and the Los Alamos National Laboratory.
- b. Act in an advisory capacity to the President of the University with respect to appointments of Directors and Deputy Directors of the Ernest Orlando Lawrence Berkeley Laboratory, the Ernest Orlando Lawrence Livermore National Laboratory, and the Los Alamos National Laboratory.
- c. Consider reports relating to:
 - 1. the management of the Laboratories;
 - 2. the scientific and technical quality of all work undertaken at the Laboratories;
 - 3. the appointment and retention of Laboratory personnel of the highest competence;
 - 4. the health and safety of the public and Laboratory employees and the maintenance of environmental quality;
 - 5. interaction among the Laboratories, the campuses and the larger scientific community; and
 - 6. the quality of Laboratory communication with the public concerning all Laboratory work.
- d. Report periodically to the Board concerning the oversight functions described in (c) above.

12.7 Committee on Health Services.

The Committee on Health Services shall:

- a. Consider and recommend to the Board strategic plans for University clinical enterprise activities and for each academic medical center.
- b. Consider and act upon, except as otherwise provided in the Standing Orders, all matters related to business transactions affecting the clinical services of University academic medical centers and schools of health sciences including, but not limited to, acquisition of physician practices, hospitals, and other facilities, clinical and ancillary services, and participation or membership in joint ventures, partnerships, corporations, or any other entities, provided that transactions with a total purchase price or other financial commitment in excess of \$5 million per transaction or \$15 million cumulatively per health sciences institution per fiscal year, subject to an overall \$50 million per year limitation, shall be considered and acted upon by the Board. Total purchase price or other financial commitment shall be determined in accordance with generally accepted accounting principles taking into account all consideration including cash paid and the net present value of liabilities assumed or incurred. All action taken by the Committee shall be reported to the Board at its next meeting.
- c. Consider and recommend to the Board the academic medical center capital and operating budgets for each fiscal year. Where matters are presented to other committees concerning any aspect of projects included in the capital budget, the item shall also be placed on the agenda of the Committee on Health Services to permit the Committee to review the recommendation in relation to the strategic plan for the affected academic medical center.
- d. Consider matters relating to the University hospitals' licensure, accreditation, planning, patient care, medical staff matters, quality assurance, and relationships with schools of health sciences.
- e. Consider and recommend to the Board policies in connection with the operation and governance of University hospitals.
- f. Review, at appropriate intervals to be determined by the Committee, reports of financial matters relating to each hospital including expenses and revenue by source, patient days and visits, and other pertinent financial data and information and financial planning.
- g. Consider developments, including pending legislation, involving significant changes in health care delivery and financing.

- h. Act in an advisory capacity to the President of the University with respect to appointments of Directors of University hospitals.
- i. As to each University hospital, review at least annually reports submitted by the President of the University and the Chancellor to the Committee relating to licensure, including special services, accreditation, planning, patient care, medical staff matters including quality assurance, and any appropriate corrective action, and relationships with schools of health sciences. The annual report for each University hospital shall set forth separately for the Committee's review:
 - 1. a mission statement with attention to the three basic functions of teaching hospitals: patient care, education, and research in the health sciences;
 - 2. medical staff bylaws;
 - 3. policies and procedures of the campus to implement hospital governing body responsibilities set forth in Title 22 of the California Administrative Code and the Accreditation Manual for Hospitals of the Joint Commission on Accreditation of Hospitals.
- j. Report periodically to the Board concerning the functions and activities of the Committee.

12.8 Committee on Compensation.

The Committee on Compensation shall:

- a. On an ongoing basis, advise the Board on all matters pertaining to the elements of compensation and benefits for University employees to ensure that compensation and benefits policies, procedures, programs, and practices are fair, effective, clear, comprehensible, transparent, and accountable, and inspire the trust of the University community and the public.
- b. Assess the University's progress in achieving the goals of obtaining, prioritizing, and directing funds to increase salaries to achieve market comparability for all groups of employees over periods established by the Board.
- c. Review and advise the Board on all matters relating to the implementation of the Senior Leadership Compensation Policy, adopted by The Regents in November 2005.

- d. Undertake actions as necessary to carry out 12.8(a), (b), and (c), including:
 - 1. Conduct regular studies to examine the competitiveness of the compensation for faculty and all categories of administrative employees relative to comparable institutions;
 - 2. Review the compensation of members of the Senior Leadership Compensation Group which require Regental approval prior to review and approval by the Board;
 - 3. Review existing Regental policies on faculty and administrative employee compensation as well as the transparency of compensation practices and modify or establish new policies, as appropriate; and
 - 4. Review the annual report on senior management compensation and the annual report on outside professional activities by senior managers.
- e. Act in an advisory capacity to the President of the University with respect to appointment compensation for such Officers of the University as may be appropriate for consideration by the Committee.
- f. Recommend to the Board:
 - 1. All compensation of the following Officers of the Corporation and Officers of the University: Principal Officers of The Regents and their chief deputies, Chief Compliance Officer, President of the University, Provost and Senior Vice President, Senior Vice Presidents, other Vice Presidents, University Auditor, Chancellors, Laboratory Directors and Directors of University hospitals; and
 - 2. The rates of compensation of Regents' Professors at salary rates above the approved range and the rates of compensation of University Professors at exceptional-above-scale salary rates. An exceptional-above-scale salary rate is defined as a salary rate that exceeds the maximum salary step of the applicable academic salary scale, as adjusted from time to time, by more than the percent difference between the maximum salary step of the Regular Ladder-Faculty Academic Year salary scale and the compensation approval level. The indexed compensation approval level shall be

indexed annually in accordance with the Consumer Price Index, said percent increase to be reported annually to the Board.

3. The rates of compensation of all other University personnel, except faculty other than Regents' Professors and University Professors whose annual full-time salary rate exceeds the Indexed Compensation Level. The Indexed Compensation Level for 2004-05 fiscal year is \$168,000 and thereafter shall be indexed annually in accordance with the Consumer Price Index, said percent increase to be reported annually to the Board.
 4. Consider and act upon the rates of compensation of University personnel holding staff positions in academic medical centers whose annual full-time salary rate exceeds the Indexed Compensation Level of \$168,000 for 2004-05 fiscal year. The Indexed Compensation Level shall be indexed annually in accordance with the Consumer Price Index, said percent increase to be reported annually to the Board.
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- g. Consider and recommend to the Board on matters relating to academic and staff personnel policies and personnel programs and labor relations presented by the President of the University.
 - h. Recommend to the Board on matters relating to professorial salary scales.
 - i. Consider and recommend to the Board on matters concerning employee welfare benefit programs, including reports and recommendations presented by the President of the University relating to retirement systems for University employees.

Includes amendments through July 2006

BYLAW 16. Board and Committee Procedures

16.1 Order of Business of the Board.

The following shall be the order of business at each regular meeting of the Board:

- Roll Call
- Approval of the minutes of the last meeting
- Report of the President of the University
- Reports of Standing Committees
- Reports of Special Committees
- Reports of Officers of The Regents
- Unfinished business
- Supplemental Report on Executive Compensation
- New business

At special meetings the order of business shall be:

- Roll call
- Reading of notice and statement of service thereof
- The special business for which the meeting was called

The regular order of business may be suspended at any meeting by a vote of a majority of the Regents present.

16.2 Attendance of Alumni Associations Representatives.

The Secretary and the Treasurer of the Alumni Associations of the University of California shall be invited to attend meetings of the Board.

16.3 Quorum of the Board.

Nine Regents shall constitute a quorum for transaction of business at regular meetings of the Board, and twelve Regents shall constitute a quorum for the transaction of business at special meetings of the Board.

16.4 Quorums of Committees.

Five members of any standing committee, special committee, or subcommittee shall constitute a quorum for the transaction of business, except that in the case of the Nominating Committee, any three members shall constitute a quorum.

16.5 Adjournment When No Quorum.

Any meeting may be adjourned and its business continued on an appointed day by the vote of a majority of the Regents present even though there shall be present less than a quorum.

16.6 Presiding at Committee Meetings.

In the absence of the Chairman of a Committee, the Vice Chairman shall preside and otherwise perform the Chairman's duties, and in the absence of both Chairman and Vice Chairman, the member of the Committee who has greatest seniority on the Board and who is present and able to act shall preside and otherwise perform the duties of the Chairman.

16.7 Rules of Procedure.

The rules contained in Robert's Rules of Order Newly Revised shall govern the proceedings at and the conduct of the meetings of the Corporation and its Committees, in all cases to which they are applicable and which are not covered in or by the Bylaws.

16.8 Procedures for Reports.

Reports shall be submitted to the Board or its Committees in accordance with a schedule of reports adopted by the Board.

Requests for other reports to be prepared for submission to the Board or its Committees shall be voted by the Board or the appropriate Committee.

16.9 Communications.

Communications for presentation to the Board or a Committee thereof shall be in writing and shall be presented by the Secretary at the next regular meeting following their receipt by the Secretary, provided that communications from the Academic Senate or members of the faculty or student body or employees of the University shall be presented only through the President of the University. This Bylaw does not apply to communications presented by members of the University of California Student Association Board of Directors or by members of the Academic Council of the Academic Senate pursuant to Bylaw 16.10.

16.10 Appearances Before the Board and Committees.

- a. Individuals or organizations shall have an opportunity to address the Board or a Committee directly on each open session agenda item before

- or during discussion or consideration of the item in accordance with such procedures as may be adopted by The Regents by resolution, provided that the Chairman of the Board or the Committee Chairman, as appropriate, may reasonably limit the total amount of time allocated for public testimony on particular issues and for each speaker and may limit testimony either to assure that it is germane to the item or if it does not involve a specific matter which has been delegated to an officer and which is more appropriately raised with that officer. Individuals seeking to address the Board or a Committee shall communicate their intention to the Secretary no later than the beginning of the morning or afternoon sessions of The Regents on the day the individual wishes to speak.
- b. No Officer, faculty member, or other employee, or student of the University or any group of Officers, faculty members, or other employees, or students of the University shall submit any matter to the Board or its Committees for official consideration except through the President of the University.
 - c. The Chairman of the Committee on Educational Policy, the Committee on Finance, or the Committee on Grounds and Buildings, or the President of the University, may request that specific members of the University of California Student Association Board of Directors and/or members of the Academic Council of the Academic Senate be requested to speak on those items being considered by the Board in which students and/or faculty, in previous committee meetings, have indicated an interest and on those items being considered by the Board which have not been discussed in previous public committee meetings.
 - d. The President of the University shall invite to attend and appear before meetings of the Board and of Committees thereof such Officers of the University and such other persons as may be needed in the best interest of the University.
 - e. At all public meetings of the Committee on Educational Policy, the Committee on Finance, or the Committee on Grounds and Buildings, members of the University of California Student Association Board of Directors and members of the Academic Council of the Academic Senate may be granted permission by the respective Committee Chairman to speak on agenda items.

16.11 Reconsideration, Repeal, or Rescission.

No motion for repeal or rescission of any action taken by the Board shall be voted upon unless notice of intention to make such motion shall have been given

at the previous meeting or by mail by the Secretary to each member of the Board and the subject matter of the motion has been placed on the agenda in accordance with Bylaw 14.5.

Any member may move for the reconsideration of an action taken by the Board. Such motion must be made and voted upon at the same meeting at which said action is taken.

16.12 Minutes of Board and Committee Proceedings.

- a. Minutes of the proceedings of the Board shall be kept by the Secretary and, as soon as practical after a meeting, a copy of said minutes shall be mailed to each member.
- b. Minutes of the proceedings of each committee shall be kept by the Secretary and, as soon as practical after a meeting, a copy of said minutes shall be mailed or delivered to each member of said Committee.
- c. The minutes of closed sessions shall be kept separate from those of the public meetings. .

Includes amendments through January 21, 1994

BYLAW 29. Miscellaneous Provisions

29.1 Honorary Degrees.

- a. Honorary degrees may be awarded upon recommendation of the President of the University and approval by a three-fourths vote of the members present at a meeting of the Board next following the meeting at which the recommendation of the President of the University was made.
- b. Honorary degrees shall not be awarded to members of the Board or to active employees of the University. Honorary degrees shall not be awarded to former employees of the University until eleven months or more after date of retirement.

- c. No more than three honorary degrees shall be awarded at any one ceremony on a campus of the University and no more than four honorary degrees shall be awarded at any one campus during an academic year.

Includes amendments through May 15, 1970

STANDING ORDERS

STANDING ORDER 100.1 Designation and to Whom Responsible

- a. Officers of the University shall be the President of the University, the Provost and Senior Vice President, Senior Vice Presidents, other Vice Presidents, Associate Vice Presidents, Assistant Vice Presidents, University Auditor, Chancellors, Vice Chancellors, and Directors and Deputy Directors of the Ernest Orlando Lawrence Berkeley National Laboratory, the Ernest Orlando Lawrence Livermore National Laboratory, and the Los Alamos National Laboratory, and Directors of University hospitals.
- b. The President shall be responsible directly to the Board. All other Officers shall be responsible to the President directly or through designated channels, with the exception of the General Counsel for Legal Affairs, who shall have dual responsibility to the Board and to the President.

Includes amendments through March 15, 1996

STANDING ORDER 100.2 Employment Status

- a. Appointment and dismissal of the President of the University shall be by an affirmative vote of not less than a majority of the members of the Board.
- b. Appointment of the Provost and Senior Vice President, Senior Vice Presidents, other Vice Presidents, University Auditor, Chancellors, and Laboratory Directors shall be voted by the Board upon recommendation of the President of the University following consultation with an appropriate Standing Committee of the Board, as determined by the President, or with a special committee established for that purpose. Appointment of other Officers of the University shall be made by the President and reported annually to the Board.
- c. Action to demote or dismiss Chancellors, Directors of the Ernest Orlando Lawrence Berkeley National Laboratory, the Ernest Orlando Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, the General Counsel and Vice President for Legal Affairs, and the University

Auditor shall be voted by the Board upon recommendation of or following consultation with the President of the University.

- d. Action to demote or dismiss other Officers of the University shall be taken by the President of the University upon recommendation of or following consultation with appropriate Officers and shall be reported to the Board.
- e. Temporary appointments to Acting status in Officer of the University positions for periods not to exceed one year may be made by the President of the University. All such appointments shall be reported annually to the Board, provided, however, that appointments as Acting Chancellors and Acting Directors of the Ernest Orlando Lawrence Berkeley National Laboratory, the Ernest Orlando Lawrence Livermore National Laboratory, and the Los Alamos National Laboratory shall be made by the President only when such appointments are necessary to meet emergency situations and shall be subject to confirmation by the Board at its next regular meeting.
- f. Minor changes in titles of Officers of the University may be approved by the President of the University. Any such changes shall be reported annually to the Board.
- g. Mutually agreeable changes in the effective date of appointments of Officers of the University may be approved by the President of the University. Any such changes shall be reported annually to the Board.

Includes amendments through September 20, 1996

STANDING ORDER 100.3 Compensation

- a. Compensation of the President of the University shall be determined by the Board upon recommendation of the Committee on Compensation.
- b. Compensation of the Provost and Senior Vice President, Senior Vice Presidents, other Vice Presidents, University Auditor, Chancellors, and Laboratory Directors, including compensation upon appointment and subsequent changes in compensation, shall be determined by the Board upon recommendation of the President of the University through the Committee on Compensation. Compensation of other Officers of the University with annual salary rates below \$168,000 shall be determined by the President and reported annually to the Board. The compensation approval level shall be indexed annually in accordance with the Consumer Price Index, said percent increase to be reported annually to the Board.

- c. Compensation of Officers of the University positions in Acting status appointed pursuant to the provisions of Standing Order 100.2(e) shall be determined by the President of the University. Any such compensation shall be reported annually to the Board, with the exception of compensation for Acting Chancellors and Acting Directors of the Ernest Orlando Lawrence Berkeley National Laboratory, the Ernest Orlando Lawrence Livermore National Laboratory, and the Los Alamos National Laboratory, which shall be made by the President only when such appointments are necessary to meet emergency situations and shall be subject to confirmation by the Board at its next regular meeting.
- d. Mutually agreeable changes in percent of time to be served by Officers of the University may be approved by the President of the University with commensurate adjustment in compensation. Any such changes shall be reported annually to the Board.
- e. Mutually agreeable changes in the effective date of appointment of Officers of the University may be approved by the President of the University with commensurate adjustment in compensation. Any such changes shall be reported annually to the Board.

Includes amendments through July 2006

STANDING ORDER 100.4 Duties of the President of the University

- a. The President shall be the executive head of the University and shall have full authority and responsibility over the administration of all affairs and operations of the University, excluding only those activities which are the responsibility of the Secretary, Treasurer, General Counsel of The Regents, and Chief Compliance Officer. The President may delegate any of the duties of the office except service as an ex officio Regent.
- b. The President is authorized in the name of The Regents to award degrees to candidates recommended by the Academic Senate for degrees in course and certified by the respective registrars, and to confer honorary degrees, the award of which has been approved by the Board. In the absence of the President, or when specifically delegated by the President, the Chancellors on the respective campuses of the University shall confer the honorary degrees so awarded by The Regents. Degrees in course, awarded by the President as prescribed above, may be conferred by any Officer of the University, including Officers of the respective campuses, on

delegation by the President. The President shall seek the advice of the Academic Senate, through committees appointed in a manner which the President shall determine, in connection with the award of all honorary degrees.

- c. The President of the University, in accordance with such regulations as the President may establish, is authorized to appoint, determine compensation, promote, demote, and dismiss University employees, except as otherwise provided in the Bylaws and Standing Orders and except those employees under the jurisdiction of the Secretary, Treasurer, and General Counsel of The Regents. Before recommending or taking action that would affect personnel under the administrative jurisdiction of Chancellors, Senior Vice Presidents, Vice Presidents, or Directors of the Ernest Orlando Lawrence Berkeley National Laboratory, the Ernest Orlando Lawrence Livermore National Laboratory, and the Los Alamos National Laboratory, the President shall consult with or consider recommendations of the appropriate Officer. When such action relates to a Professor, Associate Professor, or an equivalent position; Assistant Professor; a Professor in Residence, an Associate Professor in Residence, or an Assistant Professor in Residence; a Professor of Clinical (.e.g, Medicine), an Associate Professor of Clinical (e.g., Medicine) or an Assistant Professor of clinical (e.g., Medicine); a Senior Lecturer with Security of Employment, or a Lecturer with Security of Employment, the Chancellor shall consult with a properly constituted advisory committee of the Academic Senate.
- d. The President and those of his staff to whom he may delegate such authority are authorized to act as agents of The Regents to carry out the collective bargaining responsibilities of the University under the Higher Education Employer-Employee Relations Act (HEERA sections are 3560-3599). Whenever the President, under either general or specific authority delegated to him, takes action affecting the terms and conditions of employment of University employees, it shall be understood that for employees represented by an exclusive representative, such action may be taken only after satisfaction of any obligation the University may have to meet and confer with respect to such action, and then only to the extent approved by the President.
- e. The President is authorized to grant leaves of absence with or without pay, in accordance with such regulations as the President may establish, except that paid leaves of absence that exceed ninety days for Chancellors, Laboratory Directors, Senior Vice Presidents, and Vice Presidents shall be subject to approval by the Board upon recommendation of the President of the University.

- f. The President annually, through the appropriate Standing Committee, shall present to the Board recommendations as to the budget of the University, recommendations as to the Capital Improvement Program of the University, and recommendations as to requests for appropriations of funds for the University.
- g. The President shall fix and determine the amount, conditions, and time of payment of all fees, fines, and deposits to be assessed against students of the University, except that the President shall secure the Board's approval prior to the assessment of the University Registration Fee, Educational Fee, tuition fees, and fees and charges required in connection with the funding of loan financed projects, except student-fee-funded facilities, parking facilities and housing projects.
- h. The President shall fix the calendar of the University, provided that no session of instruction shall be established or abolished except with the advice of the Academic Senate and the approval of the Board.
- i. The President is authorized to make awards of fellowships, scholarships, and prizes with the advice of the Chancellors and the Academic Senate, and to approve expenditures from appropriations, gifts, and endowments for these purposes.
- j. The President shall consult with the Chancellors and the Academic Senate regarding the educational and research policies of the University, and shall keep the Chancellors and the Academic Senate informed about significant developments within the University and within the State and Federal governments which may have serious consequences for the conduct of education and research within the University. The President shall present recommendations to the Board concerning the academic plans of the University and of the several campuses. The President shall transmit to the Board any memorial which the Academic Senate may address to The Regents.
- k. The President shall develop, initiate, implement, and approve fundraising campaigns for the benefit of the University in accordance with the policies of the Board.
- l. The President shall represent the Corporation and the University in all matters requiring action by the Congress or officers of the United States or by the Legislature or officers of the State of California.

- m. The President is authorized to negotiate and approve indirect cost rates to be applied to contracts and grants under which the University conducts programs supported by extramural funds, provided that such negotiations shall be directed toward full recovery of indirect costs, except that the fixed payment in lieu of indirect costs under the major United States Department of Energy contracts shall be approved by the Committee on Finance. Newly approved indirect cost rates determined under the provisions of Office of Management and Budget Circular A21, and any successor publication thereto, shall be reported to the Committee on Finance annually.
- n. The President is authorized to permit expenditures against contracts, grants, and gifts, or against firm commitments thereon, provided that the contracts, grants, and gifts have been solicited or negotiated in accordance with established Regental policy.
- o. The President is authorized to approve transfers or allocations of University operating funds and transfers of funds designated for Capital Improvement purposes, subject to any limitations which might be imposed by the terms of said funds, provided:

That no such transfer or allocation shall result in the establishment of a new policy, program, or project involving a continuing commitment;
That no transfer shall be made from a reserve fund for a purpose other than that for which the reserve fund was established.
- p. The President is authorized to approve the incurring of commitments and expenditures against the following year's budget in advance of the effective date thereof. Advance commitments for expenditure for materials, services, and equipment shall not exceed fifty percent of the Governor's budget proposal to the Legislature for such purposes for the ensuing fiscal year. Advance commitments for appointments shall not exceed the number of positions and the funds provided in the Governor's budget proposal to the Legislature for the ensuing fiscal year. The number of such advance commitments authorized shall be determined annually by the President.
- q. The President is authorized to approve amendments to the Capital Improvement Program for projects not to exceed \$10 million. The President is also authorized to approve amendments to the Capital Improvement Program for projects exceeding \$10 million up to and including \$20 million, provided that concurrence is obtained from the Chairman of the Board and the Chairman of the Committee on Grounds

and Buildings and also provided that all actions taken in excess of \$10 million up to and including \$20 million under this authority be reported at the next following meeting of the Board. However, the following shall be approved by the Board: (1) projects with a total cost in excess of \$20 million, (2) for projects in excess of \$20 million, any modification in project cost over standard cost-rise augmentation in excess of 25%, or (3) capital improvement projects of any construction cost when, in the judgment of the President, a project merits review and approval by The Regents because of special circumstances related to budget matters, external financing, fundraising activities, project design, environmental impacts, community concerns, or substantial program modifications.

- r. The President is authorized to modify budget estimates of income of wholly or partially self-supporting activities, and in connection therewith to increase or decrease appropriations accordingly. Such authorization is subject to the availability of funds.
- s. The President is authorized, in accordance with the terms specified by the donor, to designate the purpose for which, and the campus or other location at which, the income and/or principal of a gift shall be used and to make allocations in accordance therewith.
- t. The President is authorized to determine, consistent with any expressed intent of the donor, the purpose for which and the campus or other location at which a gift shall be used, to determine whether income and/or principal shall be used, and to make allocations and reallocations in accordance therewith, to the extent not specified by the donor of a gift.
- u. Any action taken pursuant to sections (s) and (t) above shall conform to established University programs and policies and shall not constitute a commitment requiring expenditures in excess of budgeted items.
- v. The President is authorized, after consultation with the General Counsel, to return to the donor all or any unused portion of a gift of personal property, when the purposes of the gift have been fulfilled or fulfillment has become impossible or impracticable and when alternative uses are precluded.
- w. The President is authorized to write off bad debts, provided reserves for that purpose are adequate or that specific income or an appropriation is available for that purpose. A report on bad debt write-offs shall be submitted annually to the Committee on Finance.

- x. The President is authorized to write off against funds received from the Federal Government in reimbursement of indirect costs, routine disallowed claims under grants and contracts.
- y. The President is authorized to appoint and to execute necessary agreements with executive architects, executive landscape architects, and executive and consulting engineers for approved projects.
- z. The President is authorized to approve building plans and to solicit bids in connection with approved projects, except that the President shall not approve the design of such projects as the Board has specifically designated as requiring design approval by the Committee on Grounds and Buildings.
- aa. The President is authorized to approve the siting of individual buildings or projects, provided that their locations are generally in accordance with a long-range development plan previously approved in principle by the Board, and to approve the siting of individual buildings or projects on University properties, such as field stations and research stations, which may not be covered by approved long-range development plans.
- bb. The President is authorized to execute on behalf of the Corporation claims against debtors in bankruptcy, in receivership or in liquidation, and against estates of deceased persons.
- cc. Except as otherwise specifically provided in the Bylaws and Standing Orders:
 - 1. The President is authorized to approve and execute on behalf of the Corporation contracts, real property rental agreements, and other documents pertaining to the use of facilities for University-related purposes with a term (excluding options) of not more than ten years, provided that base rent shall not exceed \$500,000 for the initial year, and annual rent increases for subsequent years shall be limited to either (i) the actual annual percentage increases in the Consumer Price Index for all Urban Consumers (CPI-U all items), or (ii) such amounts that, when the rent is aggregated over the lease term, the total base rent does not exceed \$10 million.
 - 2. Provided that concurrence is obtained from the Chairman of the Board and the Chairman of the Committee on Finance, the President is also authorized to approve and execute contracts, real property rental agreements, and other documents, pertaining to the use of facilities for University-related purposes with a term

(excluding options) of not more than ten years, provided that base rent shall not exceed \$1 million for the initial year, and annual rent increases for subsequent years shall be limited to either (i) the actual annual percentage increases in the CPI, or (ii) such amounts that, when the rent is aggregated over the lease term, the total base rent does not exceed \$20 million, and also provided that all actions taken for these amounts under this authority be reported at the next following meeting of the Board. Amounts in excess of the \$1 million and \$20 million limits described above require Board approval.

3. For purpose of computing the maximum initial year base rent and the maximum aggregate rent specified in (1) and (2) above, rent shall exclude (i) the effect of free or reduced rent periods or similar concessions, and (ii) operating expenses or other costs (including tenant improvement costs) paid by tenant in addition to base rent.
4. Beginning November 1, 2000, the maximum initial year base rent and the maximum aggregate rent specified in (1) and (2) above shall each be increased annually by a percentage equal to the percentage increase in the CPI for the preceding year, said increase to be reported annually to the Committee on Finance.

As used in these Standing Orders, the term University-related purposes refers to real property and interests therein held and used by the University in furtherance of its mission, but excluding real property held for investment purposes.

- dd. Except as otherwise specifically provided in the Bylaws and Standing Orders, the President is authorized to execute on behalf of the Corporation all contracts and other documents necessary in the exercise of the President's duties, including documents to solicit and accept pledges, gifts, and grants, except that specific authorization by resolution of the Board shall be required for documents which involve or which are:
 1. Exceptions to approved University programs and policies or obligations on the part of the University to expenditures or costs for which there is no established fund source or which require the construction of facilities not previously approved.
 2. Renewal or modification of prime contracts with the Department of Energy for the operation of the Lawrence Berkeley National Laboratory, Lawrence Livermore National Laboratory, and the Los Alamos National Laboratory.

3. Loans of funds of the Corporation, other than loans from established student, faculty, and staff loan funds.
 4. Agreements for the provision of employee group insurance benefits, with the understanding that Board authorization shall not be required for periodic revisions to existing agreements when the revisions do not substantially change the authorized scope of the benefit plans.
 5. Affiliation agreements with other institutions or hospitals involving direct financial obligations or commitments to programs not previously approved.
 6. Agreements with associations composed of medical staff for collection of professional fees for services rendered to patients at University or affiliated teaching hospitals.
 7. Applications for new licenses to the Federal Communications Commission for authority to operate radio or television broadcast equipment.
 8. Construction contracts in excess of appropriated funds.
 9. Agreements by which the University assumes liability for conduct of persons other than University officers, agents, employees, students, invitees, and guests. In circumstances where it is deemed necessary by the President, in consultation with the General Counsel, to indemnify non-University persons who have agreed at the University's request to serve as advisors on operational matters for conduct within the scope of their role as advisors, the President is authorized to provide for defense and indemnification. This restriction does not apply to agreements under which the University assumes responsibility for the condition of property in its custody.
- ee. Anything contained in subsection (dd) above to the contrary notwithstanding, the President is authorized to take all actions and to execute all documents necessary in the exercise of the President's duties when an emergency precludes prior submission to the Board, provided that in all such cases the President shall report such actions to the Board, through an appropriate Standing Committee, at its next regular meeting.
- ff. The President is authorized to negotiate the sale, purchase, receipt by gift, or lease of all interests in real property used, or to be used for

University-related purposes, and to administer all such properties and interests

- gg. The President is authorized to approve the sale, purchase, receipt by gift, or other acquisition of all interests in real property used or to be used for University-related purposes when the consideration does not exceed \$10 million. The President is also authorized to approve the sale, purchase, receipt by gift, or other acquisition of all such interests in real property when the consideration exceeds \$10 million up to and including \$20 million, provided that concurrence is obtained from the Chairman of the Board and the Chairman of the Committee on Finance, and also provided that all actions taken for these amounts under this authority be reported at the next meeting of the Board. Amounts exceeding \$20 million require Board approval.
- hh. In furtherance of the authorities set forth in (ff) and (gg) above, the President is authorized to execute all documents, except those conveying title; provided, however, that any such documents executed prior to approval required in accordance with (gg) above, shall be conditioned upon obtaining such approval.
- ii. The President shall be the custodian of all contracts of purchase and sale, gift agreement, leases, licenses, easements and rights of way, ground leases, mortgages, deeds of trust, insurance policies and other documents relating to real property transactions for University-related purposes custody for which is not established elsewhere in the Bylaws and Standing Orders.
- jj. The President is authorized to approve and execute licenses, easements, and rights-of-way with respect to real property used or to be used for University-related purposes when (1) the consideration does not exceed \$10 million or (2) such instruments are revocable with 120 days' notice.
- kk. The President is authorized to approve leases, assignments of leases or subleases, and related amendments of such documents for mineral rights, including gas, oil, and other hydrocarbons, or geothermal resources as to real property used or to be used for University-related purposes if the land rent does not exceed \$500,000 per year during the primary lease term.
- ll. The President is authorized to take all appropriate action incident to the administration of University home loan programs as approved by The Regents, including (1) receiving and administering promissory notes, mortgages, deeds of trust, grant deeds, and deeds-in-lieu of foreclosure, (2) executing releases and satisfactions of mortgages and requests for

- reconveyances of deeds of trust when the University home loan program notes secured by such mortgages and deeds of trust have been paid in full or otherwise satisfied, and (3) accepting title to real property through foreclosure, deed-in-lieu of foreclosure, or other similar actions.
- mm. The President is authorized to develop and implement policies and procedures on matters pertaining to intellectual property, including patents, copyrights, trademarks, and tangible research products, and to execute documents necessary for the administration of intellectual property, including those which may contain commitments existing longer than seven years. The President annually shall report to the Board on matters pertaining to intellectual property.
 - nn. The President shall be the manager of all external financing of the Corporation. The President is authorized to obtain external financing for amounts up to and including \$10 million for the planning, construction, acquisition, equipping, and improvement of projects. The President is also authorized to obtain external financing for amounts in excess of \$10 million up to and including \$20 million, provided that concurrence is obtained from the Chairman of the Board and the Chairman of the Committee on Finance, and also provided that all actions taken to obtain external financing for amounts in excess of \$10 million up to and including \$20 million be reported at the next following meeting of the Board. External financing in excess of \$20 million requires Board approval. The President shall have the authority to (1) negotiate for and obtain interim financing for any external financing, (2) design, issue, and sell revenue bonds or other types of external financing, (3) issue variable rate or fixed rate debt, and execute interest rate swaps to convert fixed or variable rate debt, if desired, into variable or fixed rate debt, respectively, (4) refinance existing external financing for the purpose of realizing lower interest expense, provided that the President's authority to issue such refinancing shall not be limited in amount, (5) provide for reserve funds and for the payment of costs of issuance of such external financing, (6) perform all acts reasonably necessary in connection with the foregoing, and (7) execute all documents in connection with the foregoing, provided that the general credit of The Regents shall not be pledged for the issuance of any form of external financing.
 - oo. The President is authorized to administer University participation in corporations, companies, and partnerships, provided that such participations have been approved by the Board for University-related purposes, and to execute all documents in connection therewith on behalf

of the University. The President shall be the custodian of all documents related to such participations.

- pp. The President shall be the representative of the Corporation in, and is authorized to execute agreements in connection with, all matters relating to bank accounts and bank services; banking relationships; financial and banking type services provided by entities other than banks, including but not limited to, the following:
1. The President shall select the banks in which funds of the Corporation are deposited and from which funds are disbursed.
 2. The President is authorized to transfer to the name of the Corporation all bank accounts, including time certificates of deposit, received as gifts to the Corporation, and to make withdrawals from or close such accounts.
 3. The President is authorized to designate representatives of the University who may sign checks, drafts or other orders for the payment of money or initiate electronic transfers of funds against University checking accounts, provided that all such representatives are covered by fidelity bond. The President is authorized to approve the use of and to direct banks or other depositories to honor facsimile signatures.
 4. The President is authorized to designate a list of representatives of the Corporation who may sign checks, drafts or other orders for the payment of money or initiate electronic transfers of funds against bank accounts used for deposit of Treasurer's General Cash and to make withdrawals from savings accounts, provided that all such actions have been approved by two such representatives, including one from the Office of the President and one from the Office of the Treasurer, and provided further that all such representatives are covered by fidelity bond, and provided that nothing herein shall be construed as empowering the President to direct banks or other depositories to honor facsimile signatures except on authority of the Committee on Finance.
 5. The President is authorized to make arrangements for lockbox, electronic transfer of funds, escrow services, credit card and other services to facilitate the collection or disbursement of funds.

Includes amendments through November 2005

STANDING ORDER 100.5 Duties of the Vice Presidents

- a. Senior Vice Presidents shall perform such duties of the President of the University as the President shall designate. In the event of the unavailability or inability of the President to act, Senior Vice Presidents shall have and exercise all the duties and powers of the President, other than service as a Regent, in such order and to such extent as the President shall designate.
- b. Other Vice Presidents shall advise and assist the President of the University in connection with those functions of the administration of the University assigned to them by the President.

Includes amendments through January 18, 1985

STANDING ORDER 100.6 Duties of the Chancellors

- a. The Chancellor of each campus shall be the chief campus officer thereof and shall be the executive head of all activities on that campus, except as herein otherwise provided and excepting such activities as may be designated by the Board as University-wide activities; and with reference to these on a particular campus the Chancellor shall be consulted. In all matters within the Chancellor's jurisdiction, the Chancellor shall have administrative authority within the budgeted items for the campus and in accordance with policies for the University as determined by the President of the University. The Chancellor shall be responsible for the organization and operation of the campus, its internal administration, and its discipline; and decisions made by the Chancellor in accordance with the provisions of the budget and with policies established by the Board or the President of the University shall be final. The Chancellor of each campus shall nominate Officers, faculty members, and other employees on that campus in accordance with the provisions of these Standing Orders.
- b. The Chancellor on each campus shall appoint all the members of the instructional staff deemed necessary for the conduct of instruction in any summer session on that campus, and may fix their remuneration in accordance with the provisions of the budget established by the Board and of the salary scales of the University.
- c. The Chancellor of each campus shall preside at all formal functions on that campus. At formal exercises and ceremonies attended by the President, the Chancellor shall present the President, who, as the University's chief executive, shall function in accordance with the

University's rules for protocol and procedure. The Chancellor, with the approval of the President, may replace or supplement formal exercises on the campus, including Commencement exercises, with informal functions at which Vice Chancellors, Provosts, or Deans may preside.

Includes amendments through February 19, 1971

STANDING ORDER 100.7 Duties of the Other Officers of the University

All Officers of the University, other than those whose duties are defined in the Standing Orders or by resolution of the Board, shall perform such duties and shall have such powers as the President shall prescribe.

Not amended after April 18, 1969

STANDING ORDER 101.1 Employment Status

- a. Appointments of Regents' Professors and University Professors shall be voted by the Board upon recommendation of the President of the University, following consultation with the Committee on Educational Policy.
- b. Dismissal of an academic appointee who holds tenure or security of employment shall be voted by the Board upon recommendation of the President of the University, following consultation with the appropriate Chancellor. Prior to recommending dismissal, the Chancellor shall consult with the appropriate advisory committee(s) of the Division of the Academic Senate.
- c. Appointments, promotions, demotions, and dismissals of all faculty members and other employees, except as otherwise provided in the Bylaws and Standing Orders, shall be under the jurisdiction of the President of the University, and of the Secretary, Treasurer, and General Counsel of The Regents in their respective areas of responsibility.
- d. No political test shall ever be considered in the appointment and promotion of any faculty member or employee.

Includes amendments through June 19, 1992

STANDING ORDER 101.2 Compensation

- a. Rate of compensation and subsequent changes in rate of compensation shall be determined by the Board upon recommendation of the President of the University or upon recommendation of the Secretary, Treasurer, or General Counsel of The Regents in their respective areas of responsibility through the Committee on Compensation for:
 1. A Regents' Professor at a salary rate above the approved range, and a University Professor at an exceptional-above-scale salary rate. An exceptional-above-scale salary rate is defined as a salary rate that exceeds the maximum salary step of the applicable academic salary scale, as adjusted from time to time, by more than the percent difference between the maximum salary step of the Regular Ladder-Faculty Academic Year salary scale and the compensation approval level. The compensation approval level is defined as the dollar limit on the President's authority to approve salaries (\$168,000). The compensation approval level shall be

indexed annually in accordance with the Consumer Price Index, said percent increase to be reported annually to the Board;

2. Other University personnel, except faculty other than Regents' Professors and University Professors, whose annual salary rate is \$168,000 or more. The compensation approval level shall be indexed annually in accordance with the California Consumer Price Index, said percent increase to be reported annually to the Board.
 - b. Mutually agreeable changes in the effective date of appointment of and in percent of time to be served by those enumerated in (a) above may be approved by the President of the University and by the Secretary, Treasurer, or General Counsel of The Regents in their respective areas of responsibility with commensurate adjustment in compensation based on the salary rates approved by The Regents. Any such changes shall be reported annually to the Board.
 - c. Compensation of other employees except as otherwise provided in the Bylaws and Standing Orders of The Regents shall be under the jurisdiction of the President of the University and of the Secretary, Treasurer, and General Counsel of The Regents in their respective areas of responsibility.

STANDING ORDER 103.1 Service Obligations

- a. No compensation shall be paid to any Officer, faculty member, or other employee of the University unless actively engaged in the service of the University, in accordance with such regulations as the President may establish.
- b. No one in the service of the University shall devote to private purposes any portion of time due to the University nor shall any outside employment interfere with the performance of University duties. Arrangements for private employment by Officers, faculty members, or other employees of the University shall be subject to such regulations as the President may establish.

Not amended after April 18, 1969

STANDING ORDER 103.2 Privilege of a Hearing Before the Academic Senate

- a. Any member of the Academic Senate shall have the privilege of a hearing by the appropriate committee or committees of the Academic Senate on any matter relating to personal, departmental, or University welfare.

Not amended after April 18, 1969

STANDING ORDER 103.3 Equivalent Ranks and Privileges

The ranks of Astronomers, Associate Astronomers, Assistant Astronomers, and Junior Astronomers shall be equivalent to that of, and their academic privileges shall be the same as those of, Professors, Associate Professors, Assistant Professors, and Instructors, respectively, the length of service being counted in each case from the date of original appointment. The equivalent academic ranks of members of departments and stations where titles other than Professor, Associate Professor, Assistant Professor, and Instructor are used shall be fixed by the President, subject to approval by the Board.

Not amended after April 18, 1969

STANDING ORDER 103.4 Sabbatical Leaves

Sabbatical leaves are granted, in accordance with regulations established by the President, to enable recipients to be engaged in intensive programs of research and/or study, thus to become more effective teachers and scholars and to enhance their services to the University.

Includes amendments through September 2003

STANDING ORDER 103.5 Emeritus Status

- a. The title Professor Emeritus shall be conferred, upon retirement, on every Professor and Associate Professor. The title suffix Emeritus for positions held at the time of retirement shall be conferred, upon retirement, on every member of the Academic Senate. With the approval of the President, Emeritus status shall be conferred, upon retirement, on every academic appointee who is not a member of the Academic Senate but who meets specific criteria established by the President.
- a. Emeritus status may be conferred by the Board on Officers of the Corporation and Officers of the University, upon retirement, on the basis of their contributions to the University. For Officers of the University, Emeritus status, upon retirement, may be conferred by the President based on criteria established by the Board.
- c. For positions held at the time of their retirement, Emeritus status may be conferred by the President on University employees who meet criteria established by the President.

Includes amendments through January 21, 1994

STANDING ORDER 103.6 Retirement and Reappointment Following Retirement

No date of retirement is prescribed for faculty members and other employees of the University. The date of retirement for Officers and members of the University's Executive Program shall be as follows:

- a. For bona fide executives who participate in the University of California Retirement Plan and are Officers of The Regents, Officers of the University, or members of the University's Executive Program, the date of

retirement shall be the July 1 coinciding with or next following the person's 67th birthday, except as provided in federal or state law.

- b. For bona fide executives who participate in the Public Employees' Retirement System and are Officers of The Regents, Officers of the University, or members of the University's Executive Program, the date of retirement shall be the July 1 coinciding with or next following the person's 70th birthday, except as provided in federal or state law.

The President may appoint on a year-to-year basis employees who have attained their applicable retirement age or retired. In special circumstances, the President may also approve multiple-year reappointments of retired faculty for up to five years at a time. No such appointment shall be in conflict with law, including federal laws relating to distribution of retirement benefits.

Includes amendments through November 18, 1994

STANDING ORDER 103.7 Severance Compensation

The principle of severance compensation is approved in the case of a faculty member with tenure or security of employment whose resignation is deemed to be in the interest of the University; the authority in such cases rests with the President following consultation with the respective Chancellor. The Chancellor shall consult with the appropriate advisory committee(s) of the Academic Senate. In establishing the amount of severance compensation, each case shall be dealt with upon its merits.

Includes amendments through March 15, 1996

STANDING ORDER 103.8 Death Benefit

Upon the death of any Officer, faculty member, or regular employee of the University, or Officer or regular employee of the Corporation, who has been employed a minimum of six months, a sum equal to the salary of the deceased for one month will be paid to the person or persons in the first of the following categories in which there is a survivor: legal spouse or domestic partner; child or children; parent or parents; or siblings. If there is no survivor in any of the foregoing categories, the benefit will be paid to the estate, or if there is no estate, to the individual designated as the beneficiary of the deceased's University-paid life insurance policy. This payment is in addition to any other

benefit provided under a pension or retirement plan in effect for the deceased person.

Includes amendments through January 15, 2004

STANDING ORDER 103.9 Tenure

All appointments to the positions of Professor and Associate Professor and to positions of equivalent rank are continuous in tenure until terminated by retirement, demotion, or dismissal. The termination of a continuous tenure appointment or the termination of the appointment of any other member of the faculty before the expiration of the appointee's contract shall be only for good cause, after the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate, except as otherwise provided in a Memorandum of Understanding for faculty who are not members of the Academic Senate.

An Assistant Professor who has completed eight years of service in that title, or in that title in combination with other titles as established by the President, shall not be continued after the eighth year unless promoted to Associate Professor or Professor. By exception, the President may approve appointment of an Assistant Professor beyond the eighth year for no more than two years.

Includes amendments through May 15, 1987

STANDING ORDER 103.10 Security of Employment

Except as otherwise provided in a Memorandum of Understanding for faculty who are not members of the Academic Senate, a Lecturer-Potential Security of Employment or Senior Lecturer-Potential Security of Employment appointed at more than half time who has completed eight years of service in that title, or in that title in combination with other titles as established by the President, shall not be continued in that title after the eighth year unless given appointment with security of employment.

By exception, the President may approve appointment of a Lecturer-Potential Security of Employment or Senior Lecturer-Potential Security of Employment on more than half time beyond the eighth year without security of employment, but such appointment may not extend beyond two years.

An appointment with security of employment shall not be terminated except for good cause after the opportunity for a hearing before the properly constituted advisory committee of the Academic Senate.

Includes amendments through 9/16/88

STANDING ORDER 105.1 Organization of the Academic Senate

- a. The Academic Senate shall consist of the President, Vice Presidents, Chancellors, Vice Chancellors, Deans, Provosts, Directors of academic programs, the chief admissions officer on each campus and in the Office of the President, registrars, the University Librarian on each campus of the University, and each person giving instruction in any curriculum under the control of the Academic Senate whose academic title is Instructor, Instructor in Residence; Assistant Professor, Assistant Professor in Residence, Assistant Professor of Clinical (e.g., Medicine); Associate Professor, Associate Professor in Residence, Associate Professor of Clinical (e.g., Medicine), Acting Associate Professor; Professor, Professor in Residence, Professor of Clinical (e.g., Medicine), or Acting Professor; full-time Lecturer with Potential for Security of Employment, full-time Senior Lecturer with Potential for Security of Employment, full-time Lecturer with Security of Employment, or full-time Senior Lecturer with Security of Employment; however, Instructors and Instructors in Residence of less than two years' service shall not be entitled to vote. Members of the faculties of professional schools offering courses at the graduate level only shall be members also of the Academic Senate, but, in the discretion of the Academic Senate, may be excluded from participation in activities of the Senate that relate to curricula of other schools and colleges of the University. Membership in the Senate shall not lapse because of leave of absence or by virtue of transference to emeritus status.
- b. The Academic Senate shall determine its own membership under the above rule, and shall organize, and choose its own officers and committees in such manner as it may determine.
- c. The Academic Senate shall perform such duties as the Board may direct and shall exercise such powers as the Board may confer upon it. It may delegate to its divisions or committees, including the several faculties and councils, such authority as is appropriate to the performance of their respective functions.

Includes amendments through March 20, 1987

STANDING ORDER 105.2 Duties, Powers, and Privileges of the Academic Senate

- a. The Academic Senate, subject to the approval of the Board, shall determine the conditions for admission, for certificates, and for degrees other than honorary degrees. It shall recommend to the President all

- candidates for degrees in course and shall be consulted through committees appointed in such manner as the President may determine in connection with the award of all honorary degrees.
- b. The Academic Senate shall authorize and supervise all courses and curricula offered under the sole or joint jurisdiction of the departments, colleges, schools, graduate divisions, or other University academic agencies approved by the Board, except that the Senate shall have no authority over courses in the Hastings College of the Law, San Francisco Art Institute, in professional schools offering work at the graduate level only, or over non-degree courses in the University Extension. No change in the curriculum of a college or professional school shall be made by the Academic Senate until such change shall have been submitted to the formal consideration of the faculty concerned.
 - c. The Academic Senate shall determine the membership of the several faculties and councils, subject to the provisions of Standing Order 105.1(c), except the faculties of Hastings College of the Law, and San Francisco Art Institute, provided that the several departments of the University, with the approval of the President, shall determine their own form of administrative organization, and all Professors, Associate Professors, Acting Professors, Acting Associate Professors, and Assistant Professors, and all Instructors of at least two years' service shall have the right to vote in department meetings.
 - d. The Academic Senate is authorized to select a committee or committees to advise a Chancellor concerning a campus budget and to select a committee or committees to advise the President concerning the University budget.
 - e. The Academic Senate shall have the right to lay before the Board, but only through the President, its views on any matter pertaining to the conduct and welfare of the University.
 - f. The Academic Senate is authorized to advise the President and the Chancellors concerning the administration of the libraries of the University.
 - g. The Academic Senate is authorized to select a committee or committees to approve the publication of manuscripts by the University of California Press.

Includes amendments through March 19, 1971

STANDING ORDER 110.1 Academic Units and Functions, Affiliated Institutions, and Related Activities of the University

The Board has established the colleges, schools, graduate divisions, certain other major academic units, affiliated institutions, and related activities at the several campuses and facilities of the University of California, and, upon the recommendation of the President of the University, with the advice of the Academic Senate, has established the degrees awarded by the several academic units of the University. The Board shall approve the establishment and disestablishment of colleges, schools, graduate divisions, and organized multicampus research units, upon the recommendation of the President with the advice of the Academic Senate. Detailed provisions of such establishment and disestablishment shall be set forth in the minutes of the Board. The Board may amend these provisions by resolution, upon recommendation of the President of the University. The President is authorized to approve name changes of academic units and establishment, name changes, and discontinuance of degree titles, upon approval by the Academic Senate.

Includes amendments through March 15, 1996

STANDING ORDER 110.2 Matters Relating to Residency

Includes amendments through November 2005

- a. The residence of each student shall be determined in accordance with the rules governing residence prescribed by the provisions of Sections 68000, 68010-68012, 68014-68018, 68022-68023, 68040-68044, but excluding the words "classified as a nonresident seeking reclassification" from Paragraph 1 and substituting the words "seeking classification" and excluding Paragraph 3 of Section 68044, 68050, 68060-68061, 68062 but excluding the words "including an unmarried minor alien" from 68062(h), 68070-68078, 68080, 68083, 68130, and 68132-68134 of the Education Code of the State of California. Each nonresident student at the University of California shall pay a nonresident tuition fee for each term of attendance at the University, except that such fee, with the approval of the President of the University, may be remitted or waived in whole or in part in the case of any student who qualifies as a graduate student with a distinguished record, a foreign student, a teaching assistant or teaching fellow, or a research assistant; or in the case of a nonresident student who is an unmarried dependent son or daughter under age twenty-one, or a spouse or registered domestic partner of a member of the University

faculty who is a member of the Academic Senate. A student who is a spouse or registered domestic partner or child of a resident law enforcement officer or fire fighter killed on active duty shall be exempted from nonresident tuition and mandatory systemwide fees in accordance with Section 68120 of the Education Code of the State of California. A student who is the child or dependent of a deceased or disabled veteran, or who is the dependent of or the surviving spouse who has not remarried or registered domestic partner (who has not subsequently married or registered as a domestic partner) of any member of the California National Guard who was killed or permanently disabled while in active service of the state, shall not be exempted from nonresident tuition fees, but may be exempted from mandatory systemwide fees in accordance with Section 32320 of the Education Code of the State of California. A student meeting the requirements of Section 68130.5 of the Education Code of the State of California shall be exempt from paying nonresident tuition. A student meeting the requirements of Sections 66025.3 and 68120.5 of the Education Code of the State of California shall be exempt from paying mandatory systemwide fees and nonresident tuition. For purposes of defining financial independence pursuant to Section 68044, a student shall be considered "financially independent" if the applicant: a) is at least 24 years of age by December 31 of the year the applicant requests residence classification; b) is a veteran of the U.S. Armed Forces; c) is a ward of the court or both parents are dead; d) has legal dependents other than a spouse or registered domestic partner; e) is married, or in a registered domestic partnership, or a graduate student or professional student, and will not be claimed as an income tax deduction by any individual other than his or her spouse or domestic partner for the tax year immediately preceding the request for residence classification; or is a single undergraduate student, and was not claimed as an income tax deduction by his or her parents or any other individual for the two years immediately preceding the request for residence classification, and demonstrates self-sufficiency for two years. The student is considered self-sufficient if he or she had total income and other resources of at least \$4,000. The two years used to demonstrate self-sufficiency are the two years immediately preceding the request for residence classification. Nonresident tuition fees shall be payable at the time of registration.

- b. A student classified as a nonresident shall retain that status until that student makes application in the form prescribed by the University and has been reclassified.

- c. A student classified as a resident shall be classified as a nonresident whenever there are found to exist circumstances which would have caused that student to be classified as a nonresident. If the cause of incorrect classification is due to any concealment of facts or untruthful statements, the student shall be required to pay all tuition fees which would have been charged but for such erroneous classification and shall be subject also to appropriate University discipline.

- d. Los Alamos National Laboratory and Other Out-of-State Employees.
 - 1. An individual who is a full-time University employee assigned to work outside the State of California, or the dependent child, spouse, or registered domestic partner of such an employee, shall be entitled to resident classification for tuition purposes.
 - 2. If, following the expiration of the longstanding University/DOE contract for the management of the Los Alamos National Laboratory (LANL), the University continues to participate in the management of LANL as a principal in a separate legal entity that is awarded the successor contract, an individual who is an employee of such entity, or a dependent child, spouse, or registered domestic partner of such an employee, shall be entitled to resident classification for tuition purposes to the same extent as if the employee were an employee of the University assigned to work outside of California.
 - 3. An individual who is a full-time employee of the University assigned to work at LANL or elsewhere outside of California, or who is a full-time employee of a successor LANL contractor in which the University is a principal, and who transfers without a break in service to full-time University employment within the state of California, shall be entitled to resident classification for tuition purposes. Any dependent child, spouse or registered domestic partner of such an employee also would be entitled to resident classification for tuition purposes.
 - 4. An individual who is a full-time University employee at LANL, or any dependent child, spouse or registered domestic partner of such an employee, and who is enrolled as a student in a degree-granting program at a UC campus at such time as the University contract to manage LANL expires and the University's participation in the management of LANL ceases, shall be exempted from payment of

nonresident tuition fees for the remainder of the current quarter or semester.

- e. The General Counsel of The Regents may implement this Standing Order by promulgating regulations in accordance therewith.

STANDING ORDER 110.3 Diplomas

- a. The form for all diplomas issued by the University of California, including the Hastings College of the Law, shall be prescribed by the President, after consultation with the Academic Senate.
- b. All diplomas issued by the University of California, including the Hastings College of the Law, shall bear the signatures or facsimile signatures of the President of The Regents of the University of California, of the President of the University of California, of the Chancellor of the campus from which the student graduates, and of the Dean or Director of the college, school or division from which the student graduates, together with the seal of The Regents of the University of California.
- c. With the approval of the President, a duplicate of a diploma may be issued in case of the loss or destruction of the original; or, in the case of a request on the part of a graduate whose name has been legally changed and, for good cause, wishes a duplicate diploma giving effect to the change of name. Not amended after April 18, 1969

STANDING ORDER 120.1 University of California Retirement System

The Regents have established the University of California Retirement System.

Includes amendments through January 20, 1989

STANDING ORDER 120.2 Other Retirement Systems

Employees who are members of the Public Employees' Retirement System, the State Teachers' Retirement System, the Federal Civil Service Retirement System, and county retirement systems shall participate in said systems under the conditions described in Regents' policy.

Includes amendments through January 20, 1989

STANDING ORDER 120.3 Provisions and Amendments

All provisions of the University of California Retirement System and provisions relating to the participation of employees in other retirement systems shall be set forth in Regents' policy.

Includes amendments through January 20, 1989

STANDING ORDER 130.1 Repeal and Amendment of the Standing Orders

No Standing Order shall be adopted, repealed, or amended, except by the affirmative vote of not less than a majority of the members of the Board, and unless at a regular meeting of the Board held prior to the meeting at which a proposed Standing Order, repeal, or amendment of Standing Order is voted upon, notice of intention to propose such Standing Order, or repeal, or amendment, including a draft thereof, shall have been given and the proposal for amendment first shall have been referred to an appropriate Committee of the Board in accordance with Bylaw 10.1(a).

Includes amendments through June 13, 1975

