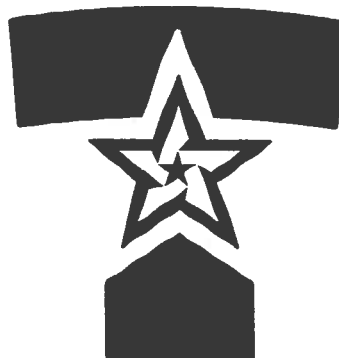


THE TEXAS STATE UNIVERSITY SYSTEM



RULES AND REGULATIONS

LAMAR UNIVERSITY
LAMAR INSTITUTE OF TECHNOLOGY
LAMAR STATE COLLEGE - ORANGE
LAMAR STATE COLLEGE - PORT ARTHUR
SAM HOUSTON STATE UNIVERSITY
SUL ROSS STATE UNIVERSITY
SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE
TEXAS STATE UNIVERSITY

Adopted September 1, 1980
Amended April 22, 2016 and May 26, 2016

- 1.47 Special course fees.
- 1.48 Diploma, certificate, auditing, and extension and correspondence instruction fees.
- 1.49 Board authorized tuition.
- 1.4(10) Designated tuition.
- 1.4(11) International fee.
- 1.4(12) Computer related charges, including but not limited to computer or technology service, computer access and computer use.
- 1.4(13) Concurrently Enrolled Students. Upon prior written approval of the Chancellor, upon the recommendation of the Vice Chancellor for Finance, system component institutions are authorized to waive all or part of the tuition and fees charged by the institution for a student enrolled in a course for which the student is entitled to receive, simultaneously, both:
 - (1) Course credit toward the student's high school academic requirements; and,
 - (2) Course credit toward a degree offered by the institution.

1.5 Construction Matters.

- 1.51 Prior to submission to the Board for consideration and approval, the following items must be first submitted to and approved by the Vice Chancellor for Contract Administration ("VCCA") in consultation with the Chancellor:
 - (1) Component Comprehensive Facilities Master Plan and any amendments thereto.
 - (2) A Capital Improvements Program (CIP) encompassing the next six years of construction projects needed to preserve, enhance, and add to facilities assets in line with the approved Master Plan. A Component may amend its CIP at any time with Board approval. It is anticipated that the Board will review and approve a revised six-year CIP prior to the beginning of each Fiscal year.

PUBLIC ART
PROGRAM;

- 1.52 Public Art Program. Believing that a university or college campus should be a pleasant and aesthetic environment that inspires reflection and learning, the Board of Regents directs that one percent of the construction budget of each new major construction project, as defined by the Chancellor, be allocated for the acquisition of works of public art.

1.521 "Public art," as used in this Paragraph, refers to any visual, pictorial, graphic or sculptural work of art that is commissioned or purchased for purposes of public display.

1.522 Guidelines for Acquisition. The Chancellor may promulgate guidelines or policies (for the acquisition of public art) that address the following:

- (1) The work's provenance, i.e., is it well known and can its authenticity or genuineness be clearly established;
- (2) Whether the vendor or owner can establish clear legal ownership, title, and copyright to the work, as well as his or her right to sell it;
- (3) Whether the artist, living or dead, has achieved recognition or renown through an exhibition history or a provenance of being in public or private collections or museums;
- (4) The work's exhibition history or published references, if any;
- (5) If the artist is not well known, whether the work has aesthetic value or historical significance;
- (6) The contribution an individual work of art can be expected to make to the Component's educational mission, as well as to its existing collection of public art;
- (7) The Component's ability to assure the proper long-term care of the individual work of public art, including security, conservation, and maintenance;
- (8) Whether the work is appropriate to the proposed location or building;
- (9) Such other factors as he or she judges to be appropriate.

1.523 Location of the Art. These works of public art shall be located at or near the site of the construction project or the funds may be aggregated, as described in *subparagraph 1.5243*.

1.524 Aggregation of Funds. Insofar as permissible under the law and applicable to the source of funds, the funds may be aggregated and expended pursuant to the comprehensive art and aesthetic improvement plan, as approved by the Chancellor.

1.525 Separate Budgets. The budgets for such works of public art shall be separate from and in addition to the aesthetic features incorporated into the building itself.

1.526 Selection Process. Prior to any such purchase of public art, a Component shall identify to the Chancellor the name, position, title and qualifications of any and all individual(s) responsible for its selection as well as document that selection process in writing.

1.53 Landscape Enhancement Program. One percent of the construction cost limitation at the design development phase of each new major construction project, except grounds and landscaping projects, will be allocated to the enhancement of exterior landscape, hardscape, and waterscape features, unless an exception is granted by the Board. These enhancements shall be located either at or near the site of the construction project or, insofar as is permissible under the law and applicable to the source of funds, aggregated and expended pursuant to a comprehensive art and aesthetic improvement plan, as approved by the VCCA, the Chancellor, and Board.

1.54 Appeal. Any Component may appeal the requirement to allocate project funds to the Public Art Program and/or Landscape Enhancement Program. Any such appeal shall be decided by the VCCA, with right of further appeal to the Chancellor, and then to the Board.

1.55 New Major Construction Project. The term "new major construction project" for purposes of this *Rule* shall mean any new building or addition to an existing building with a total project cost of \$1 million or more. The term "new major construction project" does not include projects that consist solely of improvements to campus infrastructure, athletic fields and stadiums, greenhouses, parking facilities, chill plants, utility plants, and offices and facilities located off-campus. The final decision as to whether a specific project is a "new major construction project" that triggers the requirements of this *Rule* shall be made by the Chancellor or his or her designee.

END: →

1.56 All agreements for construction, design and associated services for capital projects with a total project cost of \$1 million or more shall utilize standard forms promulgated by the VCCA.

1.6 The Texas State University System Policies and Procedures Manual for Planning and Construction (which must also be reviewed and approved by the Vice Chancellor and General Counsel) shall include a comprehensive set of policies and procedures governing the conduct and administration of the system-wide planning, design and construction program. These policies and procedures shall require compliance with all governing Federal and State laws and regulations and shall list all the current building codes that designs will be required