

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
August 7-8, 2008

Thursday, August 7, 2008.—The members of the Board of Regents of the Texas Tech University System convened at 10:07 a.m. on Thursday, August 7, 2008, in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

Regents present were F. Scott Dueser, Chairman; Larry K. Anders, Vice Chair; L. Frederick “Rick” Francis; Mark Griffin; John Field Scovell; Daniel T. Serna; Windy Sitton; Bob L. Stafford; Jerry Turner; and Student Regent Kelli Stumbo.

Also participating at the opening of the meeting were Mr. Kent Hance, Chancellor, TTUS; Dr. Guy Bailey, President, TTU; Dr. Joseph Rallo, President, ASU; Dr. John C. Baldwin, President, TTUHSC; Mr. Ben Lock, Executive Assistant to the Chancellor and Secretary of the Board of Regents, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Mr. Jim Brunjes, Vice Chancellor and Chief Financial Officer, TTUS; Ms. Beverly Cotton, Interim Vice President for Administration and Finance, TTU; Mr. Elmo Cavin, Executive Vice President for Finance and Administration, TTUHSC; Ms. Sharon Meyer, Vice President for Finance and Administration, ASU; Dr. William Marcy, Provost, TTU; Dr. Don Coers, Academic and Student Affairs Provost and Vice President, ASU; Mr. Corky Dragoo, Executive Assistant to the Chancellor, TTUS; Dr. Kelly Overley, Vice Chancellor for Institutional Advancement, TTUS; and Ms. Christina Martinez, Assistant Secretary to the Board of Regents, TTUS.

- II. CALL TO ORDER; CONVENE INTO OPEN SESSION OF THE BOARD.—
Chairman Dueser announced a quorum present and called the meeting to order.
- III. OPEN SESSION.— At approximately 10:07 a.m. on Thursday, August 7, the board continued meeting in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider items as a Board and in the Committee of the Whole.
 - III.A. COMMITTEE OF THE WHOLE.—Chairman Dueser announced that for the purpose of facilitating action on the items to be considered, Regent Anders would preside over the Committee of the Whole.

III.A. Regent Anders presided over the Committee of the Whole. The following are the Minute Orders of the items approved:

III.A.2. TTUS: Approve a finding of fact regarding the selection of a President for the University.—The Board approved the chancellor’s selection of Guy Bailey, Ph.D. as the next president of Texas Tech University when it authorized the chancellor on July 2, 2008, to name Dr. Bailey as the sole finalist for the position.

However, due to a technicality in the “21 day waiting period” statute, there is another Board vote that must be taken at the August 7-8, 2008 Board meeting. Sec. 552.123, *Texas Education Code*, says that the name of the finalist must be made public “at least 21 days before the date of the [governing board] meeting at which final action or vote is to be taken on the employment of the person.”

To make sure that the selection of Dr. Bailey complies with this statute in all respects, the Board would approve the following:

MOTION: “I move the Board of Regents find that the Chancellor’s employment of Dr. Guy Bailey as the President and Chief Executive Officer of Texas Tech University is in the best interest of the University.”

In addition to satisfying a technical provision in the “21 day waiting period” statute, this provides the opportunity for a ceremonial welcoming to Texas Tech for the new TTU President.

III.A.2. TTUS: Approve appointment of members to the Board of Directors of Texas Tech Foundation Inc.—The Board approved the appointment of the following five individuals to the Board of Directors of Texas Tech Foundation, Inc.:

Alejandra de la Vega
John W. Carpenter, III
J. Michael Lewis
Dr. Sam Islam
Mickey Long

Regent Anders stated that consideration of items by the Committee of the Whole was concluded.

- IV. RECESS.— Chairman Dueser announced that the Meeting of the Board was recessed and would reconvene on Friday, August 8, 2008 in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas. The meeting was recessed at approximately 10:11 a.m.

Friday, August 8, 2008.—The members of the Board of Regents of the Texas Tech University System reconvened at 8:34 a.m. on Friday, August 8, 2008, in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

Regents present were F. Scott Dueser, Chairman; Larry K. Anders, Vice Chair; L. Frederick “Rick” Francis; Mark Griffin; John Field Scovell; Daniel T. Serna; Windy Sitton; Bob L. Stafford; Jerry Turner; and Student Regent Kelli Stumbo.

Also participating at the opening of the meeting were Mr. Kent Hance, Chancellor, TTUS; Dr. Guy Bailey, President, TTU; Dr. Joseph Rallo, President, ASU; Dr. John C. Baldwin, President, TTUHSC; Mr. Ben Lock, Executive Assistant to the Chancellor and Secretary of the Board of Regents, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Mr. Jim Brunjes, Vice Chancellor and Chief Financial Officer, TTUS; Mr. Mike Ellicott, Vice Chancellor for Facilities Planning and Construction, TTUS; Ms. Beverly Cotton, Interim Vice President for Administration and Finance, TTU; Mr. Elmo Cavin, Executive Vice President for Finance and Administration, TTUHSC; Ms. Sharon Meyer, Vice President for Finance and Administration, ASU; Dr. William Marcy, Provost, TTU; Dr. Don Coers, Academic and Student Affairs Provost and Vice President, ASU; Dr. Michael Shonrock, Vice President for Student Affairs, TTU; Mrs. Kim Turner, Chief Audit Executive, TTUS; Mr. Seth Chomout, President, SGA, ASU; Ms. Lee Bobbitt, President, SGA, TTU; Mr. Rick Bliss, President, SGA, TTUHSC; Mr. Corky Dragoo, Executive Assistant to the Chancellor, TTUS; Mr. Jodey Arrington, Chief of Staff, Chancellor’s Office, TTUS; and Mrs. Christina Martinez, Assistant Secretary to the Board of Regents, TTUS.

- VI. CALL TO ORDER; RECONVENE INTO OPEN SESSION OF THE BOARD.— Chairman Dueser announced a quorum present and called the meeting to order.
- VII. INTRODUCTIONS AND RECOGNITIONS.—Chairman Dueser called on Mr. Hance, Dr. Bailey, Dr. Baldwin and Dr. Rallo to announce their introductions and recognitions.

Mr. Hance stated that he had a couple of individuals to recognize. Dr. Baldwin was appointed to the Select Commission on Higher Education and Global Competitiveness. The Governor, the Lieutenant Governor and the Speaker each appointed five people to that committee. Dr. Baldwin was one of Lt. Governor Dewhurst's appointees. We are proud that he is on that committee. They have already started meeting. That is an honor for Texas Tech and we appreciate Dr. Baldwin's service.

Dean Don Dyal, dean of Libraries, was not present, but Mr. Hance recognized him for his appointment by President Bush to the National Board of the Institute of Museum and Library Sciences. He was confirmed by the U.S. Senate on July 15, 2008. That is a very prestigious board and is an excellent appointment for Texas Tech.

Ambassador Tibor Nagy, who heads up Tech's International Program, is now the vice provost for International Affairs. His title will also include system coordinator of international affairs. That will help us with what we do at the Health Sciences Center but it will really help us at Angelo State. Ambassador Nagy has done an excellent job. With the recruiting that we have with our foreign students, this continues to grow. He is well-known and well-respected by the State Department. Tech is fortunate to have someone that was a sitting U.S. Ambassador heading up our International Program.

Finally, Dr. Overly reported that morning that \$12,000 was received via the Internet the previous afternoon to support construction of an east side facility for Jones AT&T Stadium. There is some enthusiasm out there and it is contagious.

Dr. Bailey stated that he had four introductions. First, Ashley Hartzog, the new masked rider who represents one of the enduring symbols of Texas Tech. Ashley is a senior animal science and Spanish major from Farwell, Texas. She will promote spirit within the University and goodwill for Texas Tech at athletic events, rodeos, parades and other school and civic functions across Texas. The masked rider is one of the most recognized symbols in the country. Ashley is the 47th student to serve as a masked rider as the program enters its 54th year. Ashley has ridden, trained and shown horses everywhere from ranches to rodeos for more than 16 years. In 2003, she served as president of the Llano Estacado Horse Association. She has competed on Texas Tech's ranch horse, horse judging and equestrian teams.

Next, the new president of the Texas Tech Staff Senate is Ron Nail. Ron has been with Tech since 1993, first as a programmer and information systems and now as a manager in Institutional Research and Information Management. He obviously has very good technical skills. This is his second term on the Staff Senate having served from 2001 – 2003. The President's Office looks forward to working with Ron and the entire Staff Senate for a productive year.

The Paul Whitfield Horn Professorship is named for Texas Tech's first president. This is the highest honor which can be bestowed upon a faculty member by the Texas Tech Board of Regents. Two of the newest Horn professors who were unable to attend the May meeting are present today. Daniel Cooke is a professor of computer science and Susan Saab-Fortney is a George H. Mahon Professor of Law. Professor Cooke joined Texas Tech in 1999. He earned a bachelor's degree from Sam Houston State and a master's from Texas A&M and a doctorate from the University of Texas in Arlington. He has done extensive work with NASA including serving as program manager of the space agency's National Strategic Initiative for Intelligent Systems. He served as director for Texas Tech's Center for Advanced Intelligence Systems and was chairman of the Computer Science Department from 2001 to 2005. Professor Saab-Fortney came to Tech in 1992. She earned her bachelor's degree from Trinity, her jurisdoctorate from Antioch School of Law and her master's of law and science of law from Columbia School of Law. She has received numerous awards from the University and other organizations including the President's Excellence in Teaching Award, the Chancellor's Distinguished Teaching Award and the President's Academic Teaching Award. Congratulations to these two individuals on their incredible accomplishments.

Dr. Baldwin introduced Dr. Patrick Reynolds, Dr. Barry Maurer and Dr. Min Kang. These three individuals are a wonderful addition to our faculty. Dr. Reynolds received his training in Texas at an undergraduate institute in Austin. His medical education was at UT Southwestern where he excelled and later received his Ph.D. He is renowned for his research in cancer therapies focusing on retinoids and the treatment and prevention of cancer. He has research support from the NIH from the National Cancer Institute and other institutions which he brings to our program at Texas Tech. Dr. Maurer was recently appointed as associate professor of cell biology and biochemistry. He had his training at the University of Michigan at Cal-Tech. He is a distinguished investigator whose interests overlap in large part with those of Dr. Reynolds. Dr. Maurer also has research support from the NIH and has the coveted R1 Award. Dr. Kang is part of this same remarkable group and is also working in the area of cancer therapy and is particularly focused on the area of drug resistant cancer and drug resistant leukemia. This group has brought with them some ten other associations who would have over-filled the room, but are no less appreciated. They are joining our group as well.

Next is Dr. Guillermo Altenberg. Dr. Altenberg came to Tech recently having had a long association with our dean of the Graduate School of Biomedical Sciences, Dr. Royce. He is a distinguished investigator who came here from the University of Texas at Galveston. He has worked very affectively already as part of our burgeoning Protein Program. He is particularly interested in connexin proteins and connexin 26 which is the most common genetic cause of deafness. He too brings R1 and R21 NIH funding as well as a Texas Advanced Research Program Grant as granted by the Texas Higher Education Coordinating Board.

Next is Dr. Andrew Dentino. He is a hero in Lubbock already. He is an internist, a board certified geriatrician and a psychiatrist. So as one moves through life, Dr. Dentino's expertise can be acquired. He is the HSC's first true geriatrician. Shirley Garrison has long yearned for a recruitment of a distinguished geriatrician and that is certainly true for Dr. Dentino. He had his training at Mount Sinai School of Medicine in New York and later at Duke University Medical Center. He is a cornerstone of our sustained and increasing program in aging at Texas Tech. He is working with us to build a broader and stronger program in geriatrics.

Finally, someone known to many of you is Dr. Doug Stocco. He has been in Lubbock for a long time and has done a great job for a long time. As a distinguished researcher, he has been continuously funded by the NIH since 1984. That is a remarkable record. It was clear when arriving at Tech that an internal leader who focused exclusively in building a research program and making the difficult administrative decisions was necessary to develop that program. Dr. Stocco was appointed as the executive vice president for research.

Dr. Stocco commented on his role at the HSC. Under Dr. Baldwin's direction, the focus is on three things: research, teaching and treating. We do all the things we are committed to do as a fine university. We also realize that the pursuit of academic achievement is also very high on anyone's list that looks for great universities. Of course, Tech is a great university, but we want to become even greater. Some of the things being done at the HSC: we are maintaining a two-prong approach. We are working with existing faculty—that is always important; we have them; they are there; they have lots of energy. They have all kinds of things that in today's funding climate of somewhat less than eight percent funding of NIH it is very difficult. We are trying to keep those who are interested in doing research and actually writing grants and such, propped up and keep them going and hope for better times on the national funding scene. With them, a couple of programs have been initiated. One is called our Bridge Support Program which is exactly that. It is designed to bridge people who have had funds, lose funds in times of tough funding, but we don't want them to dismantle their complete lab system in order to wait for the next funding. We try to help them to keep key personnel in the lab, to keep animals in their animal room for experimentation. We have tried that and have been successful. We have given out two bridge grants in the past two years and we have had 100 percent success. Both of those individuals have gone on to get their regular grants back. We are also trying to bring in new groups as the Reynolds' group and others. This is a different yet good approach as it works. We have to look for funded investigators but not just people who have grants. We look for a history of funding—people who have had two or more R1s strung together. That shows that they know how to get funding and how to keep doing it. We will continue on that path.

On another note, with respect to Regent Serna's project of research collaborations between TTU and TTUHSC, that is in progress. The reviews are almost all in—we sent out four sets of reviews. We have three of them back and

expect the others back this week or next. We will then go through the second round of reviews. We have chosen some good reviewers for that. What we have seen so far have been very satisfactory.

As far as funding, at the HSCs from 2007 to 2008, NIH funding has been up 52 percent and it will go higher. We know of at least a couple more grants that we are expected to receive. We have the chance to get to about a 75 percent increase in NIH funding over last year. That result so far is about a 21 percent increase in total extramural funding over last year. The numbers are not astronomical in themselves—the percentages are great but the direction is absolutely what we are looking for. We do need some time as things do not happen overnight in research. Even to move a top-notch group usually takes a year or more of negotiations, moving, and so on.

Basically, we feel that we are moving in the right direction. We will keep working and trying to bring distinguished people to the HSC. We will turn them loose. We will get those people who know how to do it—who have done it at other places—and ask them to continue doing what they know how to do.

Dr. Rallo stated that he had no introductions

VIII. OPEN SESSION.— At approximately 8:52 a.m. on Friday, August 8, the Board continued meeting in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider items as a Board and in the Committee of the Whole.

VIII.A. APPROVAL OF MINUTES.—Regent Dueser asked for approval of the minutes of the board meeting held on May 8-9, 2008, May 21, 2008; and July 2, 2008. Regent Anders moved for their approval. Regent Serna seconded the motion, and the motion passed unanimously.

VIII.B. COMMITTEE OF THE WHOLE.—Chairman Dueser announced that for the purpose of facilitating action on the items to be considered, Regent Anders would preside over the Committee of the Whole.

VIII.B.1. Regent Anders presented the item regarding approval of the Consent Agenda and acknowledgment of review of the Information Agenda. Regent Anders moved that the Consent Agenda be approved. The motion was seconded and passed unanimously. The following are the Minute Orders approved by this motion:

VIII.B.1.a. ASU: Approve change in undergraduate programs.— The board approved changes to the below-listed programs and authorize submission by the Office of the Provost and Vice President for Academic and

Student Affairs to the Texas Higher Education Coordinating Board (“THECB”) seeking its approval for such changes to be effective fall 2008. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents. This request was approved administratively by the president and the chancellor.

Each of the six (6) proposals reduces the total number of semester credit as indicated.

Department of Curriculum and Instruction – CIP Codes for each 30.9999.01

1. Bachelor of Science in Interdisciplinary Child Development and Learning: Grades 4 to 8, Science – from 130 to 128
2. Bachelor of Science in Interdisciplinary Child Development and Learning: Grades 4 to 8, Mathematics – from 130 to 120
3. Bachelor of Science in Interdisciplinary Child Development and Learning: Grades 4 to 8, Social Studies – from 130 to 122

Department of Communication, Drama and Journalism

1. Bachelor of Arts, Drama major with secondary teacher certification – CIP code 50.0501.00 03 from 130 to 127
2. Bachelor of Arts, Communication major with secondary teacher certification – CIP code 09.0101.00 01 from 130 to 124
3. Bachelor of Arts, Journalism major with secondary teacher certification – CIP code 09.0401.00 01 from 130 to 127

- VIII.B.1.b. ASU: Approve change in core curriculum.—The board approved changes to the core curriculum. The proposed changes would add AGEC 1331, CIP Code 01.0103, to the core curriculum for social science and AGEC 1351, CIP Code 01.0103, to the core curriculum requirements for computer literacy. This request was approved administratively by the president and the chancellor.

VIII.B.1.c. ASU: Confer title of professor emeritus on Robert V. Prestiano, Ph.D.—The board approved the conferral of professor emeritus on Robert V. Prestiano, Ph.D., former professor of Art. This request was approved administratively by the president and the chancellor.

VIII.B.1.d. TTU: Approve leaves of absence.—The board approved the following leaves of absence. This request was approved administratively by the president and the chancellor.

Leave without pay for Chuck Cannon, associate professor, Department of Biological Sciences, College of Arts & Sciences, for the period August 15, 2008 through May 31, 2009. The purpose of this leave is to take a temporary assignment as professor in Ecological Evolution and establish a research group of faculty members, research assistants and graduate students at the Xishuangbanna Tropical Botanical Garden in Yunnan, China. This effort will increase international research collaborations and help develop regional plans for biodiversity conservation and management. This leave will be taken in Yunnan, China;

Leave without pay for Dakshina De Silva, associate professor, Department of Economics & Geography, College of Arts & Sciences, for the period August 15, 2008 through January 15, 2009. The purpose of this leave is to collaborate and conduct research regarding entry, exit and survival of hotels in Texas at the University of Illinois at Urbana-Champaign. This leave will be taken in Urbana, Illinois;

Leave without pay for Robert Paige, associate professor, Department of Mathematics & Statistics, College of Arts & Sciences, for the period August 15, 2008 through May 31, 2009. The purpose of this leave is to collaborate with statisticians at Missouri University of Science & Technology. This leave will be taken in Rolla, Missouri;

Leave without pay for Julie Rosenheimer, associate professor, Department of Biological Sciences, College of Arts & Sciences, for the period August 15, 2008 through May 31, 2009. The purpose of this leave is to

teach human anatomy to medical students at the University of Heidelberg in Heidelberg, Germany. This opportunity will allow Dr. Rosenheimer to refresh her dissecting skills and anatomic knowledge base. This leave will be taken in Heidelberg, Germany;

Leave without pay for Dean Smith, professor, Department of Biological Sciences, College of Arts & Sciences, for the period October 1, 2008 through September 30, 2009. The purpose of this leave is to develop course curricula and research applications in the rapidly developing field of Biological Sciences. This leave will be taken in Heidelberg, Germany;

Leave without pay for Bharti Temkin, associate professor, Department of Computer Science, College of Engineering, for the period August 15, 2008 through May 31, 2009. The purpose of this leave is to accompany Henryk Temkin while on his Interagency Personnel Agreement in Washington, D.C. This leave will be taken in Washington, D.C.;

Leave without pay for David Tissue, professor, Department of Biological Sciences, College of Arts & Sciences, for the period August 15, 2008 through May 31, 2009. This is an extension of last year's leave. The purpose is to continue management and directing research at a global climate change facility in Sydney, Australia at the University of Western Sydney. Dr. Tissue is one of seven international candidates selected to work on this high profile, internationally-known project. This leave will be taken in Sydney, Australia;

Leave without pay for Sandra Diamond-Tissue, associate professor, Department of Biological Sciences, College of Arts & Sciences, for the period August 15, 2008 through May 31, 2009. This is an extension of last year's leave. The purpose of this leave is to continue research on the effects of human activities on marine and estuarine populations and ecosystems near Sydney, Australia. This leave will be taken in Sydney, Australia; and

Leave without pay for Eric Walden, associate professor, Department of Information Systems and

Quantitative Sciences (“ISQS”), Rawls College of Business Administration, for the period August 15, 2008 through May 31, 2009. The purpose of this leave is to serve as a visiting faculty member at the Tepper School of Business, Carnegie Mellon University, which will further the partnership mission of the College and the success of the faculty by building contacts and conducting research in a different environment. This leave will be taken in Pittsburgh, Pennsylvania.

VIII.B.1.e. TTU: Approve revisions to the Student Handbook of Texas Tech University to be effective August 11, 2008.—The board approved revisions to the Student Handbook for Texas Tech University (“TTU”) effective August 11, 2008. This request was approved administratively by the president and the chancellor.

VIII.B.1.f. TTU: Approve employee non-elective appointments.—The board approved the appointments of Dr. Thomas Thompson, chair and professor of Soil Science, Plant and Soil Sciences Department, to the Texas-Israel Exchange Fund Board and Dr. Donald Dyal, professor and dean of Libraries, to the National Board of the Institute of Museum and Library Services. These requests were approved administratively by the president and the chancellor. The Fact Finding Resolutions regarding these appointments are included herewith as Attachments No. 1 and No. 2.

The Board of Regents finds with respect to the appointees that their service is of benefit to the State of Texas and Texas Tech University and that their service does not conflict with their respective positions of employment at Texas Tech University.

VIII.B.1.g. TTUHSC: Approve Michael Keller’s appointment to the Long Term Care Advisory Committee.—The board approved the appointment of Michael Keller to serve as a member of the Governor’s Long Term Care Advisory Committee. This request was approved administratively by the president and the chancellor.

VIII.B.1.h. TTUHSC: Approve President John C. Baldwin's appointment to the Select Commission on Higher Education and Global Competitiveness.—The board approved the appointment of President Baldwin to serve as a member of the Select Commission on Higher Education and Global Competitiveness. This request was approved administratively by the president and the chancellor.

VIII.B.1.i. TTU: Approve acceptance of gift more than \$250,000 and naming of the Ceramics Studio and Kiln Area of 3-D Art Building.—The board approved to name the ceramics studio the “Helen DeVitt Jones Ceramics Studio” in recognition of the Helen Jones Foundation’s significant funding and the acceptance of this gift of \$250,000 or more by Helen DeVitt Jones. This request was approved administratively by the president and the chancellor. The Helen Jones Foundation’s gift of \$1.1 million will complete a second major component of the 3-D Art Building in the College of Visual and Performing Arts. The funds provided will help complete required renovations that will allow ceramics classes to be held in the 3-D Art Building. The Helen Jones Foundation previously contributed \$1 million to help complete the Phase I renovation of the 3-D Art Building.

The Helen Jones Foundation’s investment will create safe class environments for ceramics so that students may continue to create excellent work and participate in national exhibits such as the annual National Clay Association Exhibit.

VIII.B.1.j. ASU: Approve budget adjustments for the period March 1, 2008 through May 31, 2008.—The board approved budget adjustments for the period March 1, 2008 through May 31, 2008. This request was approved administratively by the president and the chancellor.

ANGELO STATE UNIVERSITY– BOARD APPROVAL ITEM
(March 1, 2008 – May 31, 2008)

Activity	Source of Funds		Expense
	Other	Income	
Board Approval Massie Renovation	\$845,000		\$845,000
Funds used for the renovation of the restrooms and showers in the Robert & Mary Massie dorms. This will be funded from Resident Life fund balance.			
TotalB	\$845,000		\$845,000

VIII.B.1.k. ASU: Approve commissioning of police officer.—The board approved to commission the following individual as a police officer, effective on the date indicated below. This request was approved administratively by the president and the chancellor.

John Otha Conaway, effective July 1, 2008

VIII.B.1.l. ASU: Approve designation of signature authority.—The board approved, in accordance with *Texas Government Code, Sec. 2103.061*, the below listed signature authority requests. These requests were approved administratively by the president and the chancellor

- (1) To authorize the chancellor to designate officers and employees of the university to approve all travel of employees of ASU, except to countries outside the United States other than United State possessions, Canada and Mexico, provided that such travel contributes to the mission of the university and is in accordance with current travel regulations and who may further delegate their authority, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.
- (2) To authorize the chancellor to designate officers and employees of the university to approve official travel reimbursements from

State appropriations and all other funds for officers and employees of ASU provided that the purpose of the travel and reimbursement for such are in accordance with state travel regulations, other statutory requirements, or other action promulgated by this board, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.

- (3) To authorize the president, ASU, to designate officers and employees of the university to approve and pay all accounts covering expenditures for state-appropriated funds and all other university-controlled funds, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.
- (4) To sign checks drawn on all checking accounts of the university in the depository bank, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the university or assigned other responsibilities, and further provided that any mechanically signed check of \$10,000 or more shall be reviewed and manually signed by two of the employees listed who may sign:

Sharon Meyer, Vice President for Finance
and Administration
Angie Wright, Associate Vice President for
Finance and Administration
Denise Brodnax, Controller
Janet Coleman, Director of Accounting
Candy Woodul, Accounts Payable Manager

- (5) To authorize transfers by wire or other means of funds from the ASU depository, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are

separated from the university or assigned other responsibilities, whichever comes first.

Employees who may authorize:

Angie Wright, Associate Vice President for
Finance and Administration
Denise Brodnax, Controller
Janet Coleman, Director of Accounting
Candy Woodul, Accounts Payable Manager
Vacant, Investment and Grants Accountant

- (6) To authorize and approve the sale, purchase and transfer of stocks, bonds, and other securities which are owned or controlled by ASU provided such action is approved by any two of the individuals listed below, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the university or assigned other duties or responsibilities:

Jim Brunjes, Vice Chancellor and CFO
Sharon Meyer, Vice President for Finance
and Administration
Angie Wright, Associate Vice President for
Finance and Administration
Denise Brodnax, Controller

VIII.B.1.m. TTU: Approve acceptance of restricted gift-in-kind in excess of \$250,000.—The board approved the acceptance of the following gift-in-kind for the benefit of Texas Tech University: a software license valued at \$4,356,414 from Landmark Graphics Corporation in Houston, Texas. This request was approved administratively by the president and the chancellor.

VIII.B.1.n. TTU: Approve modification of the B. L. Allen Professorship in Soil Science, and the various endowments that support this professorship.—The board approved to convert the B. L. Allen professorship in Soil Science to the B. L. Allen Endowed Chair in the Department of Plant and Soil Science within the College of Agricultural Sciences and Natural Resources. This consists of the accounts

listed below. This request was approved administratively by the president and the chancellor.

- B. L. Allen Professorship in Soil Science
- B. L. Allen Professorship Quasi-Endowment in Soil Science (with Proctor Ranch matching funds)
- B. L. Allen Regents' Professorship Quasi-Endowment in Soil Science.

In each of the above accounts "Professorship" will be replaced with "Chair".

VIII.B.1.o. TTU: Approve commissioning of police officers.—The board approved to commission the following individuals as police officers, effective on the dates indicated below. This request was approved administratively by the president and the chancellor.

Cindy L. Barkley, effective April 14, 2008
Elias Valera, effective August 27, 2007

VIII.B.1.p. TTUHSC: Approve an agreement to provide vending machines at the School of Pharmacy building in Dallas.—The board authorized the president to negotiate and approve an agreement to place vending machines at the new School of Pharmacy ("SOP") building in Dallas, Texas. This request was approved administratively by the president and the chancellor.

VIII.B.1.q. TTUS: Approve Network Services Agreement with Lone Star Education and Research Network.—The board approved a network services agreement with the Lone Star Education and Research Network. This request was approved administratively by the president and the chancellor.

VIII.B.1.r. TTUS and TTUHSC: Authorize issuance of Tuition Revenue Bond Debt.—The board authorized the issuance of \$2,100,000 in Tuition Revenue Bond Debt for minor construction projects and research equipment for the Paul L. Foster School of Medicine in El Paso. This request was approved administratively by the president and the chancellor.

VIII.B.1.s. TTUS, TTUSA, TTU and TTUHSC: Approve delegation of signature authority.—The board

approved, in accordance with *Texas Government Code*, Sec. 2103.061, the following signature authority. This request was approved administratively by the president and the chancellor.

- (1) To authorize the chancellor to designate officers and employees of the university to approve all travel of employees of Texas Tech University, except to countries outside the United States other than United States possessions, Canada and Mexico, provided that such travel contributes to the mission of the university and is in accordance with current travel regulations and who may further delegate their authority, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the university or assigned other responsibilities, which ever comes first.
- (2) To authorize the chancellor to designate officers and employees of the university to approve official travel reimbursement from State appropriations and all other funds for officers and employees of Texas Tech University provided that the purpose of the travel and reimbursement for such are in accordance with state travel regulations, other statutory requirements, or other action promulgated by this board, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.
- (3) To authorize the president, TTU, to designate officers and employees of the university to approve and pay all accounts covering expenditures for state-appropriated funds and all other university-controlled funds, effective September 1, 2008 and to continue until August 31, 2009 or until such time as they are separated from the university or assigned other responsibilities, which ever comes first.
- (4) To sign checks drawn on the revolving fund and all other checking accounts of the university in any depository bank, except the University's

Cashier's Account, effective September 1, 2008 and to continue until August 31, 2009, or until such time as they are separated from the university or assigned other responsibilities, and further provided that any mechanically signed check of \$25,000 or more shall be reviewed and manually signed by one of the employees listed who may sign:

Jim Brunjes, Vice Chancellor and CFO
Beverly Cotton, Interim Senior Vice President
for Administration and Finance
Thom Davis, Associate Vice President of
Financial Affairs and Comptroller
Ray Moran, Assistant Vice President for
Procurement Services
Janet L. May, Assistant Vice President for
Human Resources
Rebecca Perez, Director of Sponsored
Programs Accounting and Reporting
Crista McCune, Managing Director of
Financial Accounting and Reporting

- (5) To sign and/or countersign cashier's checks drawn on the university's Cashier's Account, effective September 1, 2008, and to continue until August 31, 2009 or until such time as they are separated from the university or assigned other responsibilities, whichever comes first and further provided that any mechanically signed check of \$25,000 or more be reviewed and manually signed by one of the employees listed who may sign or countersign:

Employees who may sign or countersign:

Jim Brunjes, Vice Chancellor and CFO
Beverly Cotton, Interim Senior Vice President
for Administration and Finance
Thom Davis, Associate Vice President of
Financial Affairs and Comptroller
Ray Moran, Assistant Vice President for
Procurement Services
Janet L. May, Assistant Vice President for
Human Resources
Rebecca Perez, Director of Sponsored
Programs Accounting and Reporting

Crista McCune, Managing Director of
Financial Accounting and Reporting

Employees who may countersign only:

- (6) To authorize transfer by wire or other means, of funds between Texas Tech University depositories, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.

Employees who may authorize or
counter-authorize:

Jim Brunjes, Vice Chancellor and CFO
Gary Ratliff, Associate Vice Chancellor and
CIO
Beverly Cotton, Interim Senior Vice President
for Administration and Finance
Thom Davis, Associate Vice President of
Financial Affairs and Comptroller, TTU
Ray Moran, Assistant Vice President for
Procurement Services, TTU
Janet L. May, Assistant Vice President for
Human Resources
Rebecca Perez, Director of Sponsored
Programs Accounting and Reporting
Crista McCune, Managing Director of
Financial Accounting and Reporting
Yvette A. Jordan, Cash Manager, TTUSA

- (7) To authorize and approve the sale, purchase and transfer of stocks, bonds, and other securities which are owned or controlled by Texas Tech University provided such action is approved by any two of the individuals listed below, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the university or assigned other duties or responsibilities:

Jim Brunjes, Vice Chancellor and CFO
Gary Ratliff, Associate Vice Chancellor and
CIO
Beverly Cotton, Interim Senior Vice President

for Administration and Finance
Thom Davis, Associate Vice President of
Financial Affairs and Comptroller, TTU

The request, in accordance with *Texas Administrative Code*, Title 34, Part 1, Chapter 5, Subchapter F, Rule §5.61, has been approved administratively by the president, TTUHSC, and the chancellor as required by board policy and is recommended for approval by the Board of Regents.

- (8) To authorize the president, TTUHSC, to designate officers and employees of the Health Sciences Center to approve and pay all documents covering expenditures for state-appropriated funds and all other Health Sciences Center-controlled funds, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the Health Sciences Center or assigned other responsibilities, whichever comes first.

The request, in accordance with corporate bank policy, has been approved administratively by the president, TTUHSC, and the chancellor and is recommended for approval by the Board of Regents.

- (9) To sign checks drawn on all checking accounts of the Health Sciences Center in any depository bank effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from Texas Tech University System or assigned other responsibilities, and further provided that any mechanically signed check of \$25,000 or more shall be reviewed and manually signed by one of the employees listed who may sign:

John C. Baldwin, M.D., President
Jim Brunjes, Vice Chancellor and CFO
Elmo M. Cavin, Executive Vice President for
Finance & Administration
Michael Crowder, Associate Vice President for
Business Affairs
Carole Wardroup, Director of Finance System
Management

Celeste Kulinski, Director of Business Services
Christine Blakney, Director of Accounting
Services
Rebecca Aguilar, Associate Director of
Accounting Services

- (10) To authorize transfer, by wire or other means, of funds between Texas Tech University Health Sciences Center depositories, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the Texas Tech University System or assigned other responsibilities, whichever comes first.

Employees who may authorize or counter-authorize:

John C. Baldwin, M.D., President
Jim Brunjes, Vice Chancellor and CFO
Gary Ratliff, Associate Vice Chancellor and
CIO
Elmo M. Cavin, Executive Vice President for
Finance & Administration
Michael Crowder, Associate Vice President
for Business Affairs
Carole Wardroup, Director of Finance System
Management
Celeste Kulinski, Director of Business
Services
Christine Blakney, Director of Accounting
Services
Rebecca Aguilar, Associate Director of
Accounting Services
Yvette A. Jordan, Cash Manager, TTUSA

The request, in accordance with Section 09.01.5, *Regents' Rules*, has been approved administratively by the president, TTUHSC, and the chancellor as required by board policy and is recommended for approval by the Board of Regents.

- (11) To authorize and approve the sale, purchase and transfer of stocks, bonds, and other securities which are owned or controlled by the Health Sciences Center provided such action is

approved by any two of the individuals listed below, effective September 1, 2008, and to continue until August 31, 2009, or until such time as they are separated from the Texas Tech University System or assigned other duties of responsibilities, whichever comes first:

John C. Baldwin, M.D., President
Jim Brunjes, Vice Chancellor and CFO
Gary Ratliff, Associate Vice Chancellor and CIO
Elmo M. Cavin, Executive Vice President for Finance & Administration
Michael Crowder, Associate Vice President for Business Affairs

However, for all instruments contributed to the University, the System or the Health Sciences Center, one of the two required signatures must be from one of the following:

Kelly Overley, Vice Chancellor for Institutional Advancement

Regent Anders then moved that the board acknowledge its review of the Information Agenda as follows:

Information Agenda

Information is provided as required by Section 01.02.6.b(2)(c), *Regents' Rules*

- (1) TTU, TTUHSC, and ASU: Summary of Revenues and Expenditures by Budget Category, FY 2008, per Section 01.02.8.d(3)(f), *Regents' Rules*: All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.
 - (a) TTU: Report dated May 31, 2008 for fiscal year 2008 (available for review upon request); and
 - (b) TTUHSC: Report dated May 31, 2008 for fiscal year 2008 (available for review upon request); and
 - (c) ASU: Report dated May 31, 2008 for fiscal year 2008 (available for review upon request).
- (2) TTU and TTUHSC: Contract Renewals per Section 07.12.4.b., *Regents' Rules*: “Approval of the president is required for all contract renewals. A list of those renewal contracts greater than

\$500,000 per annum, including the amount of the contract, will be provided to the board as an information item at the next regular board meeting."

TTU:

- (a) AT&T Global Services (formerly SBC Global Services); contract #MU9438, to continue and expand the existing Plexar-Custom Services provided by SBC. It will be utilizing existing AT&T facilities and equipment, construction of new facilities, the purchase of new central office equipment, or any combination thereof. The service is provided by an arrangement of station lines, switching equipment, customer facility groups, and other facilities located on AT&T premises; \$764,642.64 per annum plus non-recurring set-up, establishment and system change charges; the amendment will also extend the term of the contract from the "cutover" date (when the services are first provisioned or otherwise available for customer's use at any single site at the rates provided); the original item is M77 in the minutes of the February 14, 2008 Board of Regents meeting.
- (b) City of Lubbock (Citibus) and City Transit Management Company; to provide on-campus and off-campus student transportation services; \$2,201,348.93 per annum plus additional amounts due if the service is utilized during additional University events as requested by the University; 9/1/2008 to 8/31/2009; the original item is VII.B.1.f. in the minutes of the August 17, 2004 Board of Regents meeting.

TTUHSC:

- (a) Midland County Hospital District, dba Midland Memorial Hospital; renewal of financial support agreement for School of Medicine at Permian Basin: \$2,050,125 per annum; 10/01/07 to 09/30/08.
- (b) R E, General Hospital Thomason, dba for El Paso County Hospital District; amendment to Trauma Services Agreement; \$2,238,750 per annum.
- (c) R E, General Hospital Thomason, dba for El Paso County Hospital District; amendment to Medical Director and Professional Radiology Services Agreement; \$1,598,784 per annum.
- (d) R E, General Hospital Thomason, dba for El Paso County Hospital District; amendment to Emergency Medicine Physician Services Agreement ; \$5,015,700; 10/01/05 to 09/30/08.
- (e) R E, General Hospital Thomason, dba for El Paso County Hospital District; amendment to Neuroscience Services Agreement; \$3,604,115; 04/11/07 to 09/30/09.
- (f) Ector County - Commissioners Court; amendment to Interlocal Agreement for provision of inmate health care services at Ector County Detention Center"; \$690,098 per annum; 06/01/99 to 08/31/08.
- (g) Blue Cross and Blue Shield of Texas; amendments to Group Managed Care Agreement for PPO Primary and Specialty Care, all campuses; \$7,100,000 per annum.
- (h) UMC Physician Network Services; amendment to the Physician Staffing Agreement Attachment regarding Catherine A Musemeche, MD; \$521,600 per annum.
- (i) UMC, dba for Lubbock County Hospital District; amendment to the Master Coordinating Agreement; \$22,297,154 per annum.
- (j) Northwest Texas Healthcare System, Inc; amendment to Physician in Training Support Agreement; \$2,987,548 per annum.

(k) Texas Dept of State Health Services; amendment to DSHS Doc No 2008-024666-001A NSS - WIC CARD PARTICIPATION; \$2,087,965; 10/01/07 to 09/30/08.

(3) TTUHSC: Contracts for Sponsored Program Projects per Section 07.12.2.b, *Regents' Rules*: "The board delegates to the presidents, or their designees, the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$500,000 per annum. Sponsored program projects are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such contracts for sponsored program projects in excess of \$500,000 per annum shall be provided to the board as an information item at the next regular board meeting."

(a) University of Texas Health Sciences Center at San Antonio: contract, "Integrated Pediatric and Mental Health Program"; 04/07/08 to 08/31/08; \$546,416.

(4) TTUS: Selection of Investment Managers per Section 09.02.14.b, *Regents' Rules*: "The selection of investment managers shall be approved by the board. When necessary and appropriate during the interim between board meetings, the selection of investment managers may be approved as follows: (1) The IAC may recommend to the board that an investment manager be hired on an immediate basis; (2) Upon such a recommendation by the IAC, the board delegates its approval authority for the hiring of the recommended manager to the chair, the chair of the Finance and Administration Committee, the chair of the IAC, subject to the provisions of Subdivisions (3) and (4), herein; (3) In the exercise of this delegation of approval authority, standard actions regarding legal and due diligence review shall be conducted; and (4) Investment managers hired under this delegation of authority will be reported as an Information Item at the next board meeting."

(a) TTUS: Report on the Engagement of Axiom International Investors and Silchester International Investors as investment managers.

The Investment Advisory Committee ("IAC") met on June 26, 2008 and recommended the following investment managers for consideration by the Board of Regents:

1. Axiom International Investors – a long-only manager in international large-cap equities. Axiom employs a bottom-up, growth-oriented process, relying on fundamental analysis. It is a privately-owned firm, with an eight-year record for this product.
2. Silchester International Investors – a long-only manager in international large-cap equities. Silchester is a fundamental, bottom-up value investor, with a thirteen-year record in its fund. It is also privately-owned.

Upon the recommendation of the Investment Advisory Committee, in accordance with Board of Regents Policy, the Chair of the Board of

Regents, the Chair of the Finance and Administration Committee and the Chair of the Investment Advisory Committee approved the engagement on an immediate basis of the international equity investment managers:

1. Axiom International Investors with an allocation of \$20 million.
2. Silchester International Investors with an allocation of \$20 million.

The Axiom International Investors and the Silchester fund evaluations are included herewith as Attachment No. 3 and Attachment No. 4.

The motion was seconded and passed unanimously.

Regent Anders stated that consideration of items by the Committee of the Whole was concluded.

IX. REPORTS OF STANDING COMMITTEES.—At approximately 8:53 a.m., at the direction of Chairman Dueser, Standing Committee reports were presented sequentially to the Committee of the Whole.

IX.A. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

Committee Chairman Griffin reported that the Finance and Administration Committee met in open session to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the action set forth in the Minute Order that follows was recommended by the Finance and Administration Committee and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

IX.A.1. TTUSA: Review FY 2009 operating budget.—The Board accepted a review of the TTUSA FY 2009 operating budget.

IX.A.2. ASU: Review FY 2009 operating budget.—The Board accepted a review of the ASU FY 2009 operating budget.

IX.A.3. TTU: Review FY 2009 operating budget.—The Board accepted a review of the TTU FY 2009 operating budget.

IX.A.4. TTUHSC: Review FY 2009 operating budget.—The Board accepted a review of the TTUHSC FY 2009 operating budget.

IX.A.5. TTUSA: Approve FY 2009 operating budget.—The Board approved the Texas Tech University System Administration FY 2009 operating budget. In addition, the Board approved to appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the Board. The TTUSA FY 2009

Proposed Budget PowerPoint, the TTUS FY 2009 Proposed Budget PowerPoint, and the TTUSA Fundraising PowerPoint are included herewith as Attachment No. 5, Attachment No. 6 and Attachment No. 7.

- IX.A.6. ASU: Approve FY 2009 operating budget.—The Board approved the Angelo State University FY 2009 operating budget. In addition, the Board approved to appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the Board. The ASU FY 2009 Proposed Budget PowerPoint is included herewith as Attachment No. 8.
- IX.A.7. TTU: Approve FY 2009 operating budget.—The Board approved the Texas Tech University FY 2009 operating budget. In addition, the Board approved to appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the Board. The TTU FY 2009 Proposed Budget PowerPoint is included herewith as Attachment No. 9.
- IX.A.8. TTUHSC: Approve FY 2009 operating budget.—The Board approved the Texas Tech University Health Sciences Center FY 2009 operating budget. In addition, the Board approved to appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the board. The TTUHSC FY 2009 Proposed Budget PowerPoint is included herewith as Attachment No. 10.
- IX.A.9. ASU: Authorize a consulting agreement to provide the analysis of Financial Aid and Net Revenue Programs.—The Board approved approve a consulting agreement between Angelo State University (“ASU”) and Scannell & Kurz, Inc. of Pittsford, NY. ASU desires to enter into an agreement to engage Scannell & Kurz, Inc. to provide a comprehensive assessment and leveraging analysis of the university’s scholarship, financial aid resources and net revenue programs. Scannell & Kurz, Inc. has been identified as well suited to provide this service. The anticipated cost to ASU for this engagement is not to exceed \$65,000 for this service.

The consulting agreement is from August 15, 2008, through February 28, 2009. There would be an option to renew the contract by mutual agreement after the stated contract period. The contract is scheduled to end when the final report is presented to ASU, which is due on or before February 1, 2009.

- IX.A.10. TTUS: Authorize issuance of Tuition Revenue Bonds and Revenue Financing System Bonds for eligible projects for construction of infrastructure for TTUS and to pay costs relating to the issuance of the bonds.—The Board authorized the issuance of Tuition Revenue Bonds (“TRB”) and Revenue Financing System (“RFS”) Bonds, scheduled for issuance in fall, 2008. The TTUS Revenue Financing System Issuance of 2008 Bonds PowerPoint and the TTUS Twelfth Supplemental Resolution on Revenue Financing System are included herewith as Attachment No. 11 and Attachment No. 12.
- IX.A.11. TTUS: Authorize increase in maximum of Commercial Paper System of Texas Tech University Revenue Financing System to \$200 million and to permit the issuance of taxable debt within the Commercial Paper System.—The Board authorized an increase in the Commercial Paper System of the Revenue Financing System to \$150 million and to permit the issuance of taxable debt within the Commercial Paper System. The Revenue Financing System Commercial Paper Component and the TTUS Fifth Supplemental Resolution on Commercial Paper are included herewith as Attachment No. 13 and Attachment No. 14.
- IX.A.12. TTUS: Approve the engagement of EnCap Energy Infrastructure Fund as investment manager.—The Board approved the below-listed action as recommended by the Investment Advisory Committee (“IAC”) which met on June 26, 2008.

EnCap Energy Infrastructure Fund, L.P. - This real assets energy fund estimated to be \$750 million in size will pursue investments in:

- a. natural gas gathering, treating, compression, processing and storage operations;
- b. oil and natural gas liquids gathering and transmission;
- c. water handling and disposal; and
- d. carbon dioxide gathering, transportation, and sequestration.

The fund will primarily focus on providing growth capital to proven midstream management teams in North America. EnCap estimates the value of existing midstream assets easily exceeds \$1.0 trillion, and much of this existing infrastructure is dated and requires significant capital for refurbishment. Midstream master limited partnerships, majors, and independents are expected to invest between \$20 and \$40 billion in 2008.

The chancellor also recommended, in accordance with Board of Regents policy and the IAC recommendation, the following:

EnCap Energy Infrastructure Fund, L.P. be hired as a real assets manager with an allocation of \$15 million.

The EnCap Investments, L.P., Fund Summary; the Hammond Associates TTUS Investment Review; the TTUS General Asset Class Returns; and the Hammond Associates Research Report Summer 2008 are included herewith as Attachment No. 15, Attachment No. 16, Attachment No. 17 and Attachment No. 18.

- IX.A.13. TTUS and ASU: Approve an amendment to the *Regents' Rules* regarding the management fee to be charged for investment in the Long Term Investment Fund for Angelo State University
TTUS: Report on ConnecTech implementation.—The Board approved to amend Section 09.02.19, *Regents' Rules* ... which governs the management fee assessed for investments in the Long Term Investment Fund, as follows:

09.02.19 Management fee.

- a. The TTU system will assess and retain an investment management fee at the annual rate of up to 0.5% of the average market value of the LTIF for those entities utilizing the services of the TTUSA Institutional Advancement Office or Angelo State University Development Office. For all other entities (~~including ASU Entities~~), the annual rate will be .20% of the average market value of the LTIF. The fee shall be calculated in the same manner as spendable income and will be recorded quarterly.
 - b. The fee shall be used to offset the costs of managing long-term investments and to offset a portion of the costs of fundraising for those entities utilizing the services of the TTUSA Institutional Advancement Office or Angelo State University Development Office.
- IX.A.14. TTUHSC: Approve FY 2009 refund for the Medical Self-Insurance Plan.—The Board approved a four million dollar refund to the School of Medicine and one million dollar refund to the Laura W. Bush Institute for Women's Health as requested by the dean of the School of Medicine. The refund has been approved by the plan actuary and will be distributed to the Laura W. Bush Institute, with the refund to the School of Medicine divided proportionately to the Amarillo, El Paso, Lubbock and Permian Basin campuses. The Board stipulated that the allocation to the

Laura W. Bush Institute for Women's Health shall be a one time only allocation to that entity.

- IX.A.15. TTUS: Report on the Office of Technology Commercialization.—The Board accepted a report on the status and plans for the Office of Technology Commercialization.
- IX.A.16. TTUS: Report on Legislative Appropriation Request (“LAR”) and priorities.—The Board accepted a report on Legislative Appropriation Requests and priorities.

The TTUS 2010-2011 Legislative Appropriate Request PowerPoint and the TTUSA/TTU/TTUHSC/ASC Exceptional Item Listing and Tuition Revenue Bond Requests 2010-2011 are included herewith as Attachment No. 19 and Attachment No. 20.

IX.B. REPORT OF THE AUDIT COMMITTEE

Committee Chairman Serna reported that the Audit Committee met in open session to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the action set forth in the Minute Order that follows was recommended by the Audit Committee and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

- IX.B.1. TTUS: Approve 2009 annual audit plan for the Texas Tech University System.—Mrs. Turner presented the item to approve the annual audit plan, included herewith as Attachment No. 21
- IX.B.2. TTUS: Report on audits.—Mrs. Turner presented a report on the System's audit projects, included herewith as Attachment No. 22.

IX.C. REPORT OF THE FACILITIES COMMITTEE

Committee Chairman Francis reported that the Facilities Committee met in open session to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended by the Facilities Committee and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

- IX.C.1. TTUS: Report on MP1 update.—The Board accepted a report on the MP1 update, included herewith as Attachment No. 23.

- IX.C.2 TTUS: Report on Campus Master Plan issues.—The Board accepted a report on the Texas Tech University Campus Master Plan issues, included herewith as Attachment No. 24.
- IX.C.3. TTUS: Report on Facilities Planning and Construction projects.—The Board accepted a report on Facilities Planning and Construction managed projects, included herewith as Attachment No. 25.
- IX.C.4. TTU: Approve a construction project to expand the College of Engineering Pulse Power Research Facilities.—The Board authorized the Office of Facilities Planning and Construction (i) to proceed with a project to expand the College of Engineering Pulse Power Research Facilities with a project budget of \$1,500,000; (ii) to complete the design and obtain project approval from the Texas Higher Education Coordinating Board; and (iii) to accept a Guaranteed Maximum Price proposal from the Construction Manager at Risk. The project will be funded with Higher Education Assistance Funds.

The chancellor further recommended that the president be authorized to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

The TTU Pulse Power Research Facilities PowerPoint is included herewith as Attachment No. 26.

- IX.C.5. TTU: Approve a construction project to expand the East Side of Jones AT&T Stadium.—The Board authorized the Office of Facilities Planning and Construction (i) to proceed with a construction project to expand the East Side of Jones AT&T Stadium to add club seats and suites with a project budget of \$25,000,000; (ii) to complete the design and obtain project approval from the Texas Higher Education Coordinating Board; and (iii) to accept a Guaranteed Maximum Price proposal from the Construction Manager at Risk. The project will be funded with the Revenue Finance System repaid with gifts and donations and future athletic revenues.

It was further recommended that the board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board found that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas

Tech University System, and, as such, declare its intention, in accordance with the provisions of *Treasury Regulations*, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a new project an aggregate maximum principal amount expected to be \$25,000,000.

The chancellor further recommended that he be authorized to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

The TTU Expansion of the East Side of Jones AT&T Stadium PowerPoint is included herewith as Attachment No. 27.

- IX.C.6. TTU: Approve a construction project to renovate the track.—The Board authorized the Office of Facilities Planning and Construction (i) to proceed with a construction project to renovate the track with a project budget of \$4,000,000; (ii) to complete the design and obtain project approval from the Texas Higher Education Coordinating Board; and (iii) to select a Contractor. The project will be funded with the Revenue Finance System (“RFS”) and repaid with gifts and donations.

It was further recommended that the board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board found that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declare its intention, in accordance with the provisions of *Treasury Regulations*, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a new project an aggregate maximum principal amount expected to be \$4,000,000.

The chancellor further recommended that he be authorized to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

The TTU Renovation of the Track PowerPoint is included herewith as Attachment No. 28.

IX.C.7. TTUHSC: Approve conveyance of land to the University Medical Center.—The Board authorized the chancellor to negotiate the conveyance of approximately 1.25 acres of land to the Lubbock County Hospital District, dba the University Medical Center (“UMC”) for the construction of a new East Tower. This land is currently leased to the UMC for parking.

The TTUHSC Conveyance of Land to University Medical Center PowerPoint is included herewith as Attachment No. 29.

IX.D. REPORT OF THE ACADEMIC, CLINICAL AND STUDENT AFFAIRS COMMITTEE

Committee Chairman Sitton reported that the Academic, Clinical and Student Affairs Committee met in open session on February 28, 2008 to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended by the Academic, Clinical and Student Affairs Committee and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

IX.D.1. ASU: Approve appointment with tenure.—The Board approved the granting of tenure to the following faculty of Angelo State University (“ASU”) contemporaneously with his appointment.

John J. Osterhout, Ph.D., new professor of Chemistry and department head of Chemistry and Biochemistry, College of Sciences. Dr. Osterhout is coming from the University of Arizona where he was as research associate professor.

IX.D.2. TTU: Approve appointments with tenure.—The Board approved the granting of tenure to the following faculty of Texas Tech University (“TTU”) contemporaneously with their appointments:

Guy Bailey, Ph.D., new president of Texas Tech University and professor in the Department of English, College of Arts & Sciences. Professor Bailey was previously a tenured professor and chancellor at the University of Missouri, Kansas City, Missouri; and,

Theodore Cleveland, Ph.D., new associate professor in the Department of Civil and Environmental Engineering, College of Engineering. Professor Cleveland is currently tenured as associate professor in the Department of Civil and Environmental Engineering at the University of Houston in Houston, Texas; and,

Eric Hequet, Ph.D., new associate professor with tenure in the Department of Plant and Soil Science, College of Agricultural Sciences and Natural Resources. Dr. Hequet is currently a Research Associate Professor in Texas Tech's Department of Plant and Soil Science, College of Agricultural Sciences and Natural Resources; and,

Robert Meeds, Ph.D., new chair and associate professor with tenure in the Department of Advertising, College of Mass Communications. Dr. Meeds is currently a tenured associate professor in the A.Q. Miller School of Journalism and Mass Communications at Kansas State University in Manhattan, Kansas; and,

Raghunathan Rengasamy, Ph.D., new professor in the Department of Chemical Engineering, College of Engineering. Professor Rengasamy is currently tenured as associate professor in the Department of Chemical Engineering at Clarkson University in Potsdam, New York.

IX.D.3. TTU: Authorize an agreement to engage a consultant.—The Board authorized an agreement to engage Noel-Levitz® to provide advisory services with regards to the development of a comprehensive undergraduate enrollment management program to achieve enrollment growth goals.

IX.D.4. TTU and TTUHSC: Approve an Interdisciplinary Doctor of Medical Physics degree in the College of Arts and Sciences.—The Board approved the new degree program for a Doctor of Medical Physics (“DMP”) in the College of Arts and Sciences and authorized submission by the Office of the Provost and Senior Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a program.

Implementation of this new program will not require any new faculty. The proposed program involves current faculty within several existing departments. All facilities necessary for this program currently exist. In the initial start-up phase of this program, there will be little associated costs. Graduate students entering this program will be funded through loans as is routine with students entering medical school. Furthermore, students entering the DMP program will incur less cost than traditional medical students because tuition costs in years 2 and 3 are lower than those incurred by medical students. In the following years, students will be paid by the hospitals in which they will do their

residency programs. Initial requests for external funding will be at least \$6 million. Once this degree program is approved, this external funding will be aggressively pursued to cover costs of graduate student scholarships, travel for students and faculty, secretarial and bookkeeping support, new faculty positions, expendable supplies, and other program costs.

- IX.D.5. TTUHSC: Approve appointments with tenure.—The Board approved the granting of tenure to the following individuals:

Janet Piskurich, Ph.D. , Associate Professor of Immunology and Microbiology in the Department of Medical Education at the Texas Tech University Health Sciences Center at El Paso, Paul L. Foster School of Medicine.

Dr. Janet Piskurich comes to the Texas Tech University Health Sciences Center as a tenured Associate Professor in the Division of Basic Medical Sciences at Mercer University. Dr. Piskurich is a physician scientist specializing in Immunology and Microbiology.

Edward Yeomans, M.D., Professor, Department of Obstetrics and Gynecology, and newly selected Chair with the School of Medicine, Lubbock.

Dr. Yeomans was recruited to TTUHSC from the University of Texas Medical School at Houston where he served as an associate professor of Obstetrics and Gynecology in the Department of Obstetrics and Gynecology.

- IX.D.6. TTUHSC: Approve conferral of emeritus appointment.—The Board approved the conferral of the title of professor emeritus to Neil A. Kurtzman, M.D., for his long and faithful service to the School of Medicine and the Department of Internal Medicine.

- IX.D.7. TTUHSC: Approve naming of the School of Nursing.—The Board approved the naming of the Texas Tech University Health Sciences Center School of Nursing the *Anita Thigpen Perry* School of Nursing.

- IX.D.8. TTUHSC: Approve naming of the New Urology Clinic at the School of Medicine in Lubbock.—The Board approved naming the Urology Clinic at the Texas Tech University Health Sciences Center (“TTUHSC”) Lubbock School of Medicine the “Dr. Bernhard T. Mitemeyer Urology Clinic” in recognition of Dr. Mitemeyer’s significant role in the establishment of the new department.

- IX.D.9. TTU and TTUHSC: Report on Enrollment Task Force.—The Board accepted an update from the Enrollment Management Task Force, included herewith as Attachment No. 30.
- X. OPEN SESSION.—At approximately 9:03 a.m. the board continued in open session in the the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider items as the Committee of the Whole and Meeting of the Board.
- X.A. SCHEDULE FOR BOARD MEETINGS.—Mr. Lock presented the following schedule for future board meetings: October 30-31, 2008, Lubbock; December 11-12, 2008, Lubbock; March 5-6, 2009; May 7-8, 2009; August 6-7, 2009; October 22-23, 2009; and December 17-18, 2009.
- X.B. CHANCELLOR'S REPORT.—Chairman Dueser called on Chancellor Hance, who presented the Chancellor's Report, included herewith as Attachment No. 31.
- X.C. THE PRESIDENT'S REPORT, TTU.—Chairman Dueser called on President Whitmore, who presented the President's Report, included herewith as Attachment No. 32.
- X.C.1 REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTU.—Chairman Dueser called on Ms. Lee Bobbitt, president, Student Government Association, TTU, who presented a report from the Student Government Association included herewith as Attachment No. 33.
- X.D. THE PRESIDENT'S REPORT, TTUHSC.—Chairman Dueser called on President Baldwin, who presented the President's Report, included herewith as Attachment No. 34.
- X.D.1. REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTUHSC.—Chairman Dueser called on Mr. Rick Bliss, president, Student Government Association, TTUHSC, who presented a report from the Student Government Association included herewith as Attachment No. 35.
- X.E. THE PRESIDENT'S REPORT, ASU.—Chairman Dueser called on President Rallo, who presented the President's Report, included herewith as Attachment No. 36.
- X.E.1 REPORT BY STUDENT GOVERNMENT ASSOCIATION, ASU.—Chairman Dueser called on Mr. Seth Chomout, president, Student Government Association, ASU, who presented a report from the

Student Government Association included herewith as Attachment No. 37.

- X.F. NAMING OF *REGENTS' RULES* COMMITTEE.—Mr. Dueser announced the establishment of a *Regents' Rules* Committee that will continue the work on the incorporation of Angelo State into the *Regents' Rules*; the capital campaign; facilities; investments; and intellectual property. The members of that committee are: Mark Griffin, Chair; Rick Francis and Jerry Turner.
- XI. EXECUTIVE SESSION.— At approximately 9:57 a.m., the board recessed and convened into Executive Session as authorized by Chapter 551 of the *Texas Government Code*.
- XII. OPEN SESSION.—At approximately 11:34 a.m., the board continued in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider items as a Committee of the Whole and Meeting of the Board.
- XII.A. REPORT OF EXECUTIVE SESSION.—Chairman Dueser called on Vice Chair Anders to present motions regarding items discussed in Executive Session.
- Vice Chairman Anders announced there were two motions resulting from Executive Session.
- XII.A.1. Vice Chairman Anders moved that the Board authorize Chancellor Hance to conclude negotiations and execute the memorandum of understanding documenting a plan and intent to facilitate the transfer of the San Angelo Museum of Fine Arts, building and real property, from Angelo State University to the Angelo State Museum of Fine Arts Board of Trustees on August 31, 2009, within the parameters discussed in executive session. The motion was seconded, and passed unanimously.
- XII.A.2. Vice Chairman Anders moved that the chancellor be authorized to conclude the donation negotiations and accept a gift to the Department of Petroleum Engineering ... and President Bailey be authorized to conclude the donation negotiations and accept a gift for construction of the Texas Tech University Chapel ... and, upon successful completion of the negotiations, the naming of the Department of Petroleum Engineering and the Chapel be authorized within the parameters set forth in executive session. The motion was seconded, and passed unanimously.

XII.B. CHAIRMAN'S ANNOUNCEMENTS.—There were no announcements.

XIII. ADJOURNMENT.—Chairman Dueser moved that the meeting be adjourned. The motion was seconded and passed unanimously. The meeting adjourned at approximately 11:36 a.m.

INDEX OF ATTACHMENTS

Attachment 1	TTU Fact Finding Resolution Regarding the Appointment of Thomas Thompson, Ph.D. to the Texas-Israel Exchange Fund Board
Attachment 2	TTU Fact Finding Resolution Regarding the Appointment of Donald Dyal, Ph.D. to the National Board of the Institute of Museum and Library Services
Attachment 3	TTUS Axiom International Investors Fund Evaluation March 2008
Attachment 4	TTUS Silchester International Fund Evaluation March 2008
Attachment 5	TTUSA FY 2009 Proposed Budget PowerPoint
Attachment 6	TTUS FY 2009 Proposed Budget PowerPoint
Attachment 7	TTUS Fundraising PowerPoint
Attachment 8	ASU FY 2009 Proposed Budget PowerPoint
Attachment 9	TTU FY 2009 Proposed Budget PowerPoint
Attachment 10	TTUHSC FY 2009 Proposed Budget PowerPoint
Attachment 11	TTUS Revenue Financing System Issuance of 2008 Bonds PowerPoint
Attachment 12	TTUS Twelfth Supplemental Resolution on Revenue Financing System
Attachment 13	TTUS Revenue Financing System Commercial Paper Component PowerPoint
Attachment 14	TTUS Fifth Supplemental Resolution on Commercial Paper
Attachment 15	TTUS EnCap Investment, L.P, Fund Summary
Attachment 16	TTUS Hammond Associates Investment Review
Attachment 17	TTUS General Asset Class Returns
Attachment 18	TTUS Hammond Associates Research Report Summer 2008
Attachment 19	TTUS 2010-2011 Legislative Appropriation Request PowerPoint
Attachment 20	TTUSA/TTU/TTUHSC/ASC Exceptional Item Listing and Tuition Revenue Bond Requests 2010-2011
Attachment 21	TTUS Prioritized Audit Plan FY 2009
Attachment 22	TTUS Prioritized Audit Plan FY 2008
Attachment 23	TTUS Report on MP1 Update PowerPoint
Attachment 24	TTUS Campus Master Plan Issues PowerPoint
Attachment 25	TTUS Bricks and Mortar Report
Attachment 26	TTU Construction Project to Expand the College of Engineering Pulse Power Research Facilities PowerPoint
Attachment 27	TTU Construction Project to Expand the East Side of Jones AT&T Stadium
Attachment 28	TTU Construction Project to Renovate the Track
Attachment 29	TTUHSC Conveyance of Land to University Medical Center
Attachment 30	TTUS Enrollment PowerPoint
Attachment 31	TTUS Chancellor's Report
Attachment 32	TTU President's Report
Attachment 33	TTU SGA President's Report
Attachment 34	TTUHSC President's Report
Attachment 35	TTUHSC SGA President's Report
Attachment 36	ASU President's Report
Attachment 34	ASU SGA President's Report

I, Ben Lock, the duly appointed and qualified Secretary of the Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the Minutes of the Texas Tech University System Board of Regents meeting on August 7-8, 2008.


Ben Lock
Secretary

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