

TEXAS TECH UNIVERSITY SYSTEM  
Lubbock, Texas

Minutes

Board of Regents  
February 27, 2003

Thursday, February 27, 2003.—The members of the Board of Regents of the Texas Tech University System convened at 11:50 a.m. on Thursday, February 27, 2003, 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 C. Robert Black, Chairman; Brian C. Newby, Vice Chair; Carin Barth; E. R. “Dick” Brooks; J. Robert Brown; John W. Jones; Nancy E. Jones and David R. Lopez. Regent J. Michael Weiss was unable to attend the meeting.

Also participating at the opening of the meeting were Dr. David R. Smith, Chancellor, TTU System; Dr. Donald Haragan, Interim President, Texas Tech University; Mr. Elmo Cavin, Acting President, Texas Tech University Health Sciences Center; Mr. Jim Brunjes, Chief Financial Officer, TTUS; Mr. Richard Butler, Senior Vice Chancellor, TTUS; Mr. Ben Lock, Senior Vice Chancellor, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Dr. John Opperman, Vice Chancellor for Policy and Planning, TTUS; Mr. Mike Ellicott, Vice Chancellor for Facilities Planning and Construction, TTUS; Dr. William Marcy, Provost, TTU; Dr. Lynda Gilbert, Vice President for Fiscal Affairs, TTU; and Lucy Lanotte, Executive Secretary to the Board of Regents.

- I. CALL TO ORDER.—Chairman Black announced a quorum present and called the meeting to order. Before proceeding with the meeting, Chairman Black expressed appreciation, on behalf of the board, to Regent Brown for his years of service as chairman of the board.
- II. INTRODUCTIONS AND RECOGNITIONS.—Chairman Black called on Dr. Smith and Dr. Haragan for the introductions and recognitions. Dr. Haragan recognized Dr. John White, professor of architecture, who received the Truett Latimer Award from Preservation Texas, an award that is given to working professionals who demonstrate a significant commitment to preservation as part of their job responsibilities.

III. EXECUTIVE SESSION.—At approximately 11:52 a.m., the board recessed and convened into Executive Session as authorized by Chapter 551 of the *Texas Government Code*.

IV. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 2:02 p.m. on Thursday, February 27, the board reconvened 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.

IV.A. APPROVAL OF MINUTES.—Regent Brown moved that the minutes of the board meeting held on December 13, 2002 be approved. Regent Brooks seconded the motion, and the motion passed unanimously.

IV.B. COMMITTEE OF THE WHOLE

Chairman Black announced that for the purpose of facilitating action on the items to be considered, Vice Chair Newby would preside over the Committee of the Whole.

IV.B.1. Regent Newby presented the item regarding approval of the Consent Agenda and acknowledgment of review of the Information Agenda. Regent Newby noted that Item “g” of the Consent Agenda had been moved to the regular agenda of the Finance and Administration Committee, and moved that the Consent Agenda be approved as modified. The motion was seconded and passed unanimously. The following are the Minute Orders approved by this motion:

IV.B.1.a. TTU: Approve leave of absence.—The board approved the following faculty development leave, as approved administratively by the president and the chancellor.

Leave without pay for Song Yang, Professor, College of Arts and Sciences, for the period January 16, 2003 through December 31, 2003. The purpose of this leave is to conduct research at the National Institutes of Health in Bethesda, Maryland.

IV.B.1.b. TTU: Approve emeritus appointments.—The board approved the granting of emeritus status to the retired individuals listed below, as approved administratively by the president and the chancellor.

Billy Earl Askins	Professor and Chair of Curriculum and Instruction (35 years)
Edward Wilson Averill	Professor of Philosophy (22 years)
John Ross Edward Bliese	Associate Professor of Communication Studies (16 years)
Anthony Norman Brittin	Professor of Music (39 years)
Lester G. Butler	Associate Professor of Curriculum and Instruction (28 years)
Sydney Paul Cravens	Associate Professor of Classical and Modern Languages and Literatures (30 years)
Benjamin Sanchez Duran	Professor of Mathematics and Statistics (31 years)
John Arthur Gillas	Horn Professor of Music (31 years)
James William Harper	Associate Professor of History (35 years)
Duane Paul Jordan	Associate Professor of Mechanical Engineering (38 years)
Walter Robert McDonald	Horn Professor of English (31 years)
William J. B. Oldham	Professor of Computer Science (15 years)
Henry David Payne, III	Associate Professor of Music (35 years)
Sherman Alfred Phillips, Jr.	Associate Professor of Plant and Soil Science (20 years)

Charles Augustus Reavis	Professor of Educational Psychology and Leadership (25 years)
Roger Carl Schaefer	Associate Professor of Political Science (26 years)
David James Schmidly	Professor of Biological Sciences (7 years)
Patrick Wilbert Shaw	Professor of English (30 years)
Jan Dalton Tarwater	Professor of Mathematics and Statistics (34 years)

IV.B.1.c. TTUHSC: Approve exception to Section 03.03.8, *Regents' Rules*.—The board approved an exception to Section 03.01.8.c., Nepotism, *Regents' Rules*, to allow Dr. Joachim Weber, Senior Research Associate, spouse of Dr. Ina Urbatsch, Assistant Professor, Cell Biology and Biochemistry, to perform research in the laboratory of Dr. Urbatsch, as approved administratively by the president and the chancellor. All personnel actions, compensation decisions, performance evaluations, merit increases and all other administrative decisions will fall under the direct purview of Dr. Harry Weitlauf, Chairman and Professor of Cell Biology and Biochemistry, School of Medicine.

IV.B.1.d. TTUHSC: Approve employee appointment to non-elective position.—The board approved the following employee appointment to a non-elective position, as approved administratively by the president and the chancellor:

Rodolfo Arredondo, Ed.D., professor, Department of Neuropsychiatry, School of Medicine, appointed to the National Advisory Committee of the National Institute of Health/National Institute on Drug Abuse by Secretary of Health and Human Services Tommy Thompson. The appointment is for four years and is effective upon taking the oath of office.

The board also found with respect to Dr. Arredondo that his service is of benefit to the nation and Texas Tech University Health Sciences Center and that his service does not conflict with his position of employment at Texas Tech University Health Sciences Center.

IV.B.1.e. TTUHSC: Approve finding of fact necessary for dual employment.—The board approved a finding of fact necessary for the dual employment of Anthony J. Busti, BSN, PharmD., assistant professor in the Department of Pharmacy Practice (School of Pharmacy-Dallas), as an adjunct professor for Texas Women’s University beginning January 12, 2003 through December 15, 2003, with compensation at the amount of \$3,500 per semester, as approved administratively by the president and the chancellor.

The board also found with respect to Mr. Busti that his adjunct professor appointment (i) will benefit the state of Texas and Texas Tech University Health Sciences Center (“TTUHSC”); and (ii) will not conflict with his position of employment at TTUHSC, as the positions have no overlapping time requirements.

IV.B.1.f. TTUS: Approve finding of fact necessary for dual employment.—The board approved a finding of fact necessary for the dual employment of John Opperman, Vice Chancellor for Policy and Planning of Texas Tech University System, with the office of the Lieutenant Governor of Texas commencing January 21, 2003, as approved administratively by the president and the chancellor.

The board also found with respect to John Opperman that (i) his position with the office of the Lieutenant Governor of Texas to assist in resolving the State’s fiscal situation (37.5% FTE) will benefit the state of Texas; and (ii) his appointment with the office of the Lieutenant Governor will not conflict with his employment at Texas Tech University System on issues related to long-range strategic planning, academic policy and other duties assigned by the Chancellor (62.5% FTE) .

IV.B.1.g. TTU: Approve renewal of agreement with Cox Cable to provide cable television service to the residence halls.—The item was moved to the regular agenda of Finance and Administration Committee.

IV.B.1.h. TTU: Approve budget adjustments for the period November 1, 2002 through December 31, 2002.—The board approved budget adjustments for the period November 1, 2002 through December 31, 2002, included herewith as Attachment No. 1, as approved administratively by the president and the chancellor:

IV.B.1.i. TTUS and TTU: Approve delegation of signature authority.—  
The board approved the delegation of signature authority, which updates delegations of signature authority previously approved by the Board of Regents to include newly hired and appointed employees. The request had been 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 February 28, 2003, and to continue until August 31, 2003, 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 February 28, 2003, and to continue until August 31, 2003, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.
- (3) To authorize the chancellor 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 February 28, 2003, and to continue until August 31, 2003 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 February 28, 2003, and to continue

until August 31, 2003, 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:

Donald R. Haragan, Interim President

- (5) To sign and/or countersign cashier's checks drawn on the university's Cashier's Account, effective February 28, 2003, and to continue until August 31, 2003 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:

Donald R. Haragan, Interim President

- (6) To authorize transfer by wire or other means, of funds between Texas Tech University depositories, effective February 28, 2003, and to continue until August 31, 2003, 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:

Donald R. Haragan, Interim President

- (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 February 28, 2003, and to continue until August 31, 2003, or until such time as they are separated from the university or assigned other duties or responsibilities:

Donald R. Haragan, Interim President

However, for all instruments contributed to the university, one of the two required signatures must be from one of the following:

Mark Lindemood, Vice Chancellor for Institutional Advancement

- IV.B.1.j. TTUHSC: Approve delegation of signature authority.—The board approved the delegation of signature authority, which updates the delegation of signature authority previously approved by the Board of Regents to include a newly hired employee. The request had been approved administratively by the president and the chancellor.

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 February 28, 2003, and to continue until August 31, 2003, or until such time as they are separated from the Texas Tech University System or assigned other duties or responsibilities, whichever comes first:

David R. Smith, M.D., Chancellor  
Jim Brunjes, Chief Financial Officer  
Charles D. Wall, Assistant Chief Financial Officer for Cash Management and Investments  
Elmo M. Cavin, Acting President and Executive Vice President  
Michael Crowder, Associate Vice President for Business Affairs  
Lynda Gilbert, Vice President for Fiscal Affairs, TTU  
Charlie L. Stallings, Associate Vice President for Fiscal Affairs, TTU  
Nancy H. Whittaker, Assistant Vice President for Fiscal Affairs and Comptroller, TTU

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

Mark Lindemood, Vice Chancellor for Institutional Advancement  
Greg Teeter, Legal Counsel for Institutional Advancement

- IV.B.1.k. TTUHSC: Approve revisions to Traffic and Parking Regulations, including vehicle registration fees.—The board approved revisions to the Traffic and Parking Regulations as set out below, as approved administratively by the president and the chancellor:



Amend the Regulations applicable to Texas Tech University Health Sciences Center as follows:

a. Paragraph I.

These regulations are established by ~~Texas Tech University and Texas Tech University Health Sciences Center campuses~~ in order to facilitate the safe and orderly conduct of business and to provide registered vehicles parking space as conveniently as possible within the limits of space available. Operating a motor vehicle on campus is a privilege and is conditioned, in part, on complying with these rules and regulations.

b. Paragraph V.B.

“B. Due to the diverse nature of operations between the University and the Health Sciences Center campuses, it is necessary to have certain regulations that pertain to the specific institution; these are ~~included as Items XI-XVI for the Health Sciences Center campuses~~ submitted separately by each institution. Following are the regulations that apply to Texas Tech as defined in C.1. below.”

c. Paragraph V.C.1.

“1. The campus is defined as all lands owned, managed, or otherwise controlled by ~~the University and the various Health Sciences Center campuses~~, herein called “Texas Tech”.

d. Paragraph V.C.4.

“4. A valid parking space is defined as an area designated on three sides by lines and/or posts, curbs, or other types of barriers for the explicit purpose of parking a motor vehicle.”

e. Paragraph V.N.

“N. The parking wheel stops and curbs located all over campus are six inches tall. Many newer and some older model vehicles have special ground effects attachments, air dams, fog/driving lights, or other attachments that reduce ground clearance under the vehicle. Driving such vehicles over the parking wheel stop or curb may cause damage to these vehicles. Drivers are urged to use caution when parking vehicles to avoid damage. Texas Tech University System assumes no responsibility in such cases.”

f. Paragraph VII.C.21.

"21. Failure to pay Pay Station 20.00."

g. Paragraph VII.F.

"F. All motorcycle registration permits are issued for the academic year for students and the fiscal year for faculty and staff. They may be purchased at any time during the year at a rate that is prorated monthly. ~~(See schedule in Appendix A or B)~~"

h. Paragraph VII.G.

"G. Bicycles should be parked in racks whenever available. Use of shrubs, trees, or any architectural structures to secure bicycles is prohibited. Bicycles are not permitted in Texas Tech academic or administrative buildings. Any bicycle found in violation of this subsection may be impounded. The normal impoundment fee is \$40.00. THE IMPOUNDMENT FEE DOES NOT INCLUDE THE COST OF THE CITATION OR ANY APPLICABLE STORAGE FEES. (See Section ~~VIII~~ IX.A. 1 and 2)"

i. Paragraph VII.J.

"J. Any bicycle or locking device not removed from campus at the end of the Spring Semester may ~~will~~ be considered abandoned property and may ~~will~~ be properly disposed of through Property Inventory.

j. Paragraph VII.K.2.

~~"2. All violations as set forth in ordinances enacted by the City of Lubbock, Texas may be adjudicated in Municipal Court, 10<sup>th</sup> Street and Avenue J, Lubbock, Texas.~~

k. Paragraph VIII.B.

"B. Appeal the citation in writing, within ten (10) calendar days of the alleged violation, through the ~~individual designated as the supervisor of parking appeals for University violations or the Traffic and Parking Office at the Health Sciences Center for violations that occur there.~~"

l. Paragraph IX.B.

"B. If the owner or driver of a motor vehicle to be impounded arrives before impoundment has begun, the vehicle will not be impounded. If the owner arrives after impoundment has begun,

the vehicle will not be impounded if the driver opts to pay the tow truck driver or Texas Tech parking enforcement personnel a fee of \$25.00 (payable in a manner acceptable to either the towing company or Texas Tech) in lieu of impoundment.”

m. Paragraph IX.D.

- “D. No personal property or vehicles (including boats, trailers, motor homes, etc.) shall be permitted to be stored or parked on the campus without permission from the appropriate Traffic and Parking Office.

n. Paragraph X.C.

- ~~“C. The University provides a shuttle bus service to assist persons with their on-campus transportation needs. The shuttle bus service is operated between the hours of 5:00 P.M. and 4:00 A.M. during the fall and spring semesters (when school is in session). One of the buses is lift equipped to accommodate persons with disabilities. Shuttle bus schedules are available at various locations campus including the residence halls, the Texas Tech Police Department, and the Dean of Students’ Office.”~~

o. Paragraph XI.D.

- “D. Renewal notices for persons assigned reserved and area reserved spaces are sent out no later than July 1 each year. Employees must renew their vehicle registration by the date stated in the renewal notice. Payment may be made by credit card (Visa, MasterCard, and Discover), cash, personal check, or payroll deduction. (Payroll deduction is available at the Amarillo, El Paso, Lubbock, and Odessa campuses.)

At the Lubbock campus, vehicle registration can be made at the “Traffic and Parking On-Line Parking Permits” site at the TTUHSC home page (<http://www.ttuhs.edu>) under Site Directory at Administrative. Credit card information may be entered directly into this site and personal checks can be mailed though campus mail to ~~Room 2C190~~ Mail Stop 6290. This site is “secure” and all date entered will be protected.

p. Paragraph XII.A.

- “A. Persons who hold a Thompson Hall motor vehicle registration permit (R-25 ~~or C-5~~) or a Texas Tech Medical Center – Southwest vehicle registration permit (S1) should park in the designated area reserved parking lots (A3, A5, B3, C3, or F1)

parking areas when parking at the Lubbock Health Sciences Center campus.”

q. Paragraph XII.B.

“B. Persons who hold a Health Sciences Center parking permit (A2, A3, A5, B2, B3, C3, E1, or F1) should park in the ~~€5~~ visitor parking area at Thompson Hall.

r. Paragraph XVI.C.1.

“1. Contractors may obtain, at no charge, a construction permit for their trucks or cars from the TTUHSC Traffic and Parking Office, Room ~~2C190~~ BB097 (~~located next to the Bursar’s Office on the 2<sup>nd</sup> Floor of Wing C~~).”

s. Paragraph XVII

See Fee and Refund Schedule included herewith as Attachment No. 2.

IV.B.1.I. TTU: Accept major gift-in-kind to the Museum of Texas Tech University.—The board accepted the following gift-in-kind for the benefit of the Museum of Texas Tech University: Nine pieces of African art valued at \$267,000 from Gerald and Anita Smith of Houston, Texas, as approved administratively by the president and the chancellor.

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

Information Agenda

Information is provided as required by Section 01.01.6.b(2)(c), *Regents’ Rules*

- (1) TTU and TTUHSC: Summary of Revenues and Expenditures by Budget Category, FY 2003 per Section 01.01.8.c(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 November 30, 2002 for fiscal year 2003; and
  - (b) TTUHSC: Report dated November 30, 2002 for fiscal year 2003.
  
- (2) 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 \$1,000,000 per annum, including the amount of the contract, will be provided to the board as an information item at the next regular board meeting."

- (a) R.E. Thomason General Hospital; Neurosurgical Services Agreement; 9/1/02-8/31-06; \$5,889,127;
- (b) Texas Department of MHMR – El Paso Psychiatric Center; Inpatient Psychiatric Medical Services Agreement; 9/1/02-8/31/03; \$1,248,156;
- (c) Texas Higher Education Coordinating Board; Family Practice Residency Program Operational Grant Agreement; 9/1/02-8/31/03; \$1,244,100;
- (d) University Medical Center; Master Coordinating Agreement – Radiology Lease Space; 7/1/02-6/30/04; \$20,000,000; and
- (e) University Medical Center; Master Coordinating Agreement – Radiology Faculty Support; 7/1/02-6/30/04; \$20,000,000.

(3) **TTUHSC: School of Medicine Faculty Employment Contracts per Section 07.12.4.c, *Regents' Rules*: "Approval of the president is required for faculty employment contracts greater than \$100,000 per annum. A list of all faculty employment contracts greater than \$100,000 per annum will be provided to the board as an information item at the next board meeting."**

- (a) Dominguez, Leonardo, M.D., Assistant Professor/NTT; Ophthalmology, Lubbock; 9/1/02-8/31/04; \$120,000;
- (b) Eezzuduemhoi, Deborah, M.D., Instructor/NTT; Ophthalmology, Lubbock; 11/1/02-8/31/03; \$140,000;
- (c) Hodges, David S., M.D., Associate Professor/NTT; Internal Medicine, Lubbock; 12/16/02-12/15/03; \$180,000;
- (d) Levine, Johanan, M.D., Associate Professor/NTT; Neuropsychiatry, El Paso; 9/1/02-8/31/03; \$150,000;
- (e) Phillips, Benny P., M.D., Academic Associate Professor/NTT; Ob/Gyn, Lubbock; 11/1/02-11/1/04; \$115,000 (part-time);
- (f) Richards, William E., M.D., Academic Assistant Professor/NTT; Ob/Gyn, Lubbock; 11/1/02-11/1/04; \$115,000 (part-time);
- (g) Robinson, Valerie, M.D., Assistant Professor/NTT; Neuropsychiatry, Lubbock; 1/15/03-8/31/06; \$130,000; and
- (h) Zoller, Dennis P., M.D., Associate Professor/NTT; Family Medicine, Amarillo; 11/1/02-8/31/03; \$148,000.

(4) **TTU: Report on establishment of new centers and institutes: As requested by the Board of Regents, a list of newly established centers and institutes will be provided to the board as an information item at the next board meeting.**

- (a) Economic Development Resource Center; broker and coordinate resources and partnerships to provide planning and technical outreach assistance to stabilize communities in the High Plains Region of West Texas and Eastern New Mexico; to diversify and strengthen the regional economic climate in fostering innovation, job growth, and the creation of wealth; and to promote the development and use of technology to compete successfully in the global marketplace; and

- (b) Center for Dispersive Processes; engage in the fundamental and applied research and graduate educational activities required to understand and model transport phenomena associated with the dispersion of mass, momentum and thermal energy.

The motion was seconded and passed unanimously.

Vice Chair Newby stated that consideration of items by the Committee of the Whole was concluded.

- V. OPEN SESSION. – The board continued in Open Session to meet concurrently with its Standing Committees.
- VI. MEETINGS AND REPORTS OF STANDING COMMITTEES.—At approximately 2:03 p.m., at the direction of Chairman Black, the board recessed into meetings of its Standing Committees, which were conducted sequentially in open session. Chairman Black also stated that committee reports to the full board for its consideration would be presented at the conclusion of the respective committee meeting.

The Finance and Administration Committee met from approximately 2:05 p.m. until approximately 2:42 p.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas; the Facilities Committee met from approximately 2:42 p.m. until approximately 2:45 p.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas; and the Academic, Clinical and Student Affairs Committee met from approximately 2:45 p.m. until approximately 2:59 p.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas.

#### VI.A. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

The Finance and Administration Committee met from approximately 2:05 p.m. until approximately 2:42 p.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas. At the conclusion of the committee meeting, Chairman Black called on Regent Brooks, Chair of the committee, to give the committee's report.

Committee Chairman Brooks 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 actions set forth in the Minute Orders that follow were 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.

- VI.A.1. TTU: Approve fee assessment schedule effective Summer semester, 2003.—The board approved the fees to be assessed and charged to regularly enrolled and prospective students beginning with the Summer semester, 2003 with the exception of state tuition and institutional tuition which will be assessed beginning with the Fall semester, 2003, as modified and included herewith as Attachment No. 3.
- VI.A.2. TTU: Approve establishment of endowments within the Museum of Texas Tech University.—The board approved the establishment of four endowments within the Museum of Texas Tech University. The corpus of these endowments comes from the \$7,647,817 that was generated from the sale of Ben E. Keith stock that was gifted to the University by the Kenneth Keith Estate. Of the total amount realized from the sale of the stock, \$600,000 will be used to support the Vatican Exhibition, renovations to the Paleontology Exhibition and matching for other gifts to the Museum. The remaining amount realized from the sale of the Ben E. Keith stock will be used to establish four endowments. The requested endowments are:
- |   |             |
|---|-------------|
| Kenneth Keith Museum Operations Endowment                                     | \$4,047,817 |
| Center for Advanced Study of Museum Science and Heritage Management Endowment | \$1,000,000 |
| Keith Museum Science and Heritage Management Student Assistance Endowment     | \$1,000,000 |
| Keith Museum Research Enhancement Endowment                                   | \$1,000,000 |
- VI.A.3. TTU: Approve renewal of agreement with Cox Cable to provide cable television service to the residence halls.—The item was withdrawn.
- VI.A.4. TTUHSC: Approve fee assessment schedule effective Fall semester, 2003.—The board adopted the global fee document establishing fees to be assessed and collected from regularly enrolled and prospective students effective with the Fall semester, 2003, included herewith as Attachment No. 4.
- VI.A.5. TTUHSC: Approve modifications of endowments for the Department of Neuropsychiatry in the School of Medicine.—The board approved that the Haag Endowment and the Gladys Waller Brown Endowment be modified and combined with the Malouf Abraham Endowment for the Neurology of Aging to create the Abraham-Tarbox Chair in Neurodegenerative

Diseases which shall be used for the treatment and study of neuropsychiatric disorders of late life.

- VI.A.6. TTU and TTUHSC: Approve interagency contracts with State Office of Risk Management for Workers' Compensation Insurance coverage.—The board approved the Interagency Contracts between Texas Tech University (“TTU”) and Texas Tech University Health Sciences Center (“TTUHSC”) and the State Office of Risk Management to provide Workers' Compensation Insurance coverage. The payment for this required service will be made as defined by the rules of the State Office of Risk Management.

Each of these agreements is in excess of \$1 million: the TTU agreement is \$1,380,414.87; the TTUHSC agreement is \$1,381,730.69. The term of each agreement runs from September 1, 2002 through August 31, 2003 and governs services provided and losses paid for FY 2003.

- VI.A.7. TTUS: Approve revised charter of the Office of Audit Services and amendments to Chapter 07, Regents' Rules, concerning audits.—The board approved (1) the revised charter of the Office of Audit Services, included herewith as Attachment No. 5; and (2) the amendments to Chapter 07, *Regents' Rules*, concerning audits, in order to comply with the Texas Internal Auditing Act and the Standards for the Professional Practice of Internal Auditing, included herewith as Attachment No. 6.
- VI.A.8. TTUS: Approve investment in eligible investment pool.—The item was withdrawn.

## VI.B. REPORT OF THE FACILITIES COMMITTEE

The Facilities Committee met from approximately 2:42 p.m. until approximately 2:45 p.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas. At the conclusion of the committee meeting, Chairman Black called on Regent Robert Brown, Chair of the committee, to give the committee's report.

Committee Chairman Brown 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.



- VI.B.1. TTUS: Report on Office of Facilities Planning and Construction projects.—The board accepted the report on the Office of Facilities Planning and Construction, a summary of which is included herewith as Attachment No. 7.

VI.C. REPORT OF THE ACADEMIC, CLINICAL AND STUDENT AFFAIRS COMMITTEE

The Academic, Clinical and Student Affairs Committee met from approximately 2:45 p.m. until approximately 2:59 p.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas. At the conclusion of the committee meeting, Chairman Black called on Regent Lopez, Chair of the committee, to give the committee's report.

Committee Chairman Lopez reported that the Academic, Clinical and Student Affairs 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 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.

- VI.C.1. TTU: Approve granting of academic tenure.—The board approved granting tenure to the following faculty of Texas Tech University, effective this date:

Li Guigen, associate professor, Department of Chemistry and Biochemistry, College of Arts and Sciences;

Jia-Sheng Wang, associate professor, Department of Environmental Toxicology, College of Arts and Sciences; and

Michael Parkinson, associate professor, School of Mass Communications, College of Arts and Sciences.

- VI.C.2. TTU: Approve changes in academic rank and granting of tenure.—The board approved changes in academic rank, effective September 1, 2003, and the granting of tenure, effective this date, for the following faculty of Texas Tech University:

Jacqui Haygood, from assistant professor to associate professor, Department of Agricultural Education & Communications, College of Agricultural Sciences and Natural Resources;

Warren Ballard, from associate professor to professor, Department of Range, Wildlife and Fisheries Management, College of Agricultural Sciences and Natural Resources;

Richard Deslippe, from assistant professor to associate professor, Department of Biological Sciences, College of Arts and Sciences;

Lauren Gollahon, from assistant professor to associate professor, Department of Biological Sciences, College of Arts and Sciences;

Eduardo Cabrera, from assistant professor to associate professor, Department of Classical and Modern Languages & Literatures, College of Arts and Sciences;

Robert Flowers, from associate professor to professor, Department of Chemistry and Biochemistry, College of Arts and Sciences;

Susan Lang, from assistant professor to associate professor, Department of English, College of Arts and Sciences;

Scott McMurry, from assistant professor to associate professor, Department of Environmental Toxicology, College of Arts and Sciences;

Ernest Smith, from assistant professor to associate professor, Department of Environmental Toxicology, College of Arts and Sciences;

Anatoly Korchagin, from assistant professor to associate professor, Department of Mathematics and Statistics, College of Arts and Sciences;

Andreas Schneider, from assistant professor to associate professor, Department of Sociology, Anthropology and Social Work, College of Arts and Sciences;

Nora Griffin-Shirley, from assistant professor to associate professor, Department of Educational Psychology and Leadership, College of Education;

Robin Lock, from assistant professor to associate professor, Department of Educational Psychology and Leadership, College of Education;

Carmen Roman-Shriver, from assistant professor to associate professor, Department of Education, Nutrition and Restaurant/Hotel Management, College of Human Sciences;

Alan Reifman, from assistant professor to associate professor, Department of Human Development & Family Studies, College of Human Sciences;

Lisa Garner Santa, from assistant professor to associate professor, School of Music, College of Visual and Performing Arts;

Lisa Rogers, from assistant professor to associate professor, School of Music, College of Visual and Performing Arts; and

Linda Donahue, from assistant professor to associate professor, Department of Theatre and Dance, College of Visual and Performing Arts.

VI.C.3. TTU: Approve changes in academic rank.—The board approved changes in academic rank for the following faculty of Texas Tech University, effective September 1, 2003:

Sukant Misra, from associate professor to professor, Department of Agricultural and Applied Economics, College of Agricultural Sciences and Natural Resources;

David Birney, from associate professor to professor, Department of Chemistry and Biochemistry, College of Arts and Sciences;

Dominick Casadonte, from associate professor to professor, Department of Chemistry and Biochemistry, College of Arts and Sciences;

Carol Korzeniewski, from associate professor to professor, Department of Chemistry and Biochemistry, College of Arts and Sciences;

Bolanle Olaniran, from associate professor to professor, Department of Communication Studies, College of Arts and Sciences;

Marjean Purinton, from associate professor to professor, Department of English, College of Arts and Sciences;

Vaia Papadimitriou, from associate professor to professor, Department of Physics, College of Arts and Sciences;

Fred Hartmeister, from associate professor to professor, Department of Educational Psychology and Leadership, College of Education;

Andreas Neuber, from assistant professor to associate professor, Department of Electrical and Computer Engineering, College of Engineering;

Hamed Sari-Sarraf, from assistant professor to associate professor, Department of Electrical and Computer Engineering, College of Engineering;

Richard Wampler, from associate professor to professor, Department of Human Development and Family Studies, College of Human Sciences; and

Shelley Harp, from associate professor to professor, Department of Merchandising, Environmental Design and Consumer Economics, College of Human Sciences.

VI.C.4. TTU: Approve granting of continuing appointment to librarians and archivists.—The board approved granting continuing appointment to William Tydeman, Ph.D., Associate Dean of Libraries, effective this date.

VI.C.5. TTU: Approve granting of promotion to librarians and archivists.—The board approved granting of promotion to the librarians listed below, effective September 1, 2003:

Susan Norrisey, from associate librarian to librarian, Library; and  
Bonnie Reed, from associate librarian to librarian, Library.

VI.C.6. TTU: Approve designation of Horn Professorships.—The board approved the designation of the individuals listed below as Horn Professors, effective this date:

Loretta Bradley, Ph.D., Department of Educational Psychology, College of Education; and

Wijesuriya Dayawansa, Ph.D., Department of Mathematics and Statistics, College of Arts and Sciences.

VI.C.7. TTU: Approve conferral of honorary degree.—The board approved the conferring of an honorary degree of Doctor of Humane Letters, Honoris Causa, upon Jack Dale at the University commencement ceremony on May 17, 2003.

VI.C.8. TTUHSC: Approve granting of tenure.—The board approved granting academic tenure to the following faculty of Texas Tech University Health Sciences Center, effective this date:

Michael B. Silva, M.D., professor, Surgery, School of Medicine; and  
Thomas J. Thekkumkara, Ph.D., associate professor,  
Pharmaceutical Sciences, School of Pharmacy.

VI.C.9. TTUHSC: Approve changes in rank and granting of tenure.—The board approved changes in academic rank effective September 1, 2003, and the granting of tenure, effective this date, to the following faculty of Texas Tech University Health Sciences Center:

Sharon Cannon, R.N., Ed.D., associate professor to professor,  
School of Nursing;

Martine Coue, Ph.D., assistant professor to associate professor, Cell  
Biology and Biochemistry, School of Medicine;

Curtis Michael Pfarr, Ph.D., assistant professor to associate  
professor, Cell Biology and Biochemistry, School of Medicine; and

Sharma S. Prabhakar, M.D., assistant professor to associate  
professor, Internal Medicine, School of Medicine.

VI.C.10. TTUHSC: Approve changes in academic rank.—The board approved changes in academic rank, effective September 1, 2003, for the following faculty of Texas Tech University Health Sciences Center:

**Tenured Faculty:**

Barbara G. Border, Ph.D., associate professor to professor, Laboratory  
Sciences and Primary Care, School of Allied Health Sciences;

Sandor Gyorke, Ph.D., associate professor to professor, Physiology,  
School of Medicine;

Rajinder K. Koul, Ph.D., associate professor to professor, Speech,  
Language and Hearing Sciences, School of Allied Health Sciences;

**Non-Tenure Track Faculty:**

Elizabeth A. Amos, R.N., Ph.D., assistant professor to associate  
professor, School of Nursing;

Robert E. Bennett, M.D., associate professor to professor, Pediatrics,  
School of Medicine;

Loren E. Bryant, Ph.D. , assistant professor to associate professor,  
Family and Community Medicine, School of Medicine;

James K. Burks, M.D., associate professor to professor, Internal  
Medicine, School of Medicine;

Everado Cobos, M.D., associate professor to professor, Internal  
Medicine, School of Medicine;

Harold E. Habegar, R.Ph., assistant professor to associate professor,  
Pharmacy Practice, School of Pharmacy;

Thomas W. Hale, Ph.D., associate professor to professor, Pediatrics,  
School of Medicine;

Joan M. Hooker, M.S., instructor to assistant professor, Rehabilitation  
Sciences, School of Allied Health Sciences;

Leigh Ann Jenkins, M.D., associate professor to professor, Internal  
Medicine, School of Medicine;

Betsy Goebel Jones, Ed.D., assistant professor to associate professor,  
Family and Community Medicine, School of Medicine;

Robert P. Kauffman, M.D., assistant professor to associate professor,  
Obstetrics and Gynecology, School of Medicine;

Judith P. Keller, M.S., instructor to assistant professor, Communication  
Disorders, School of Allied Health Sciences;

Ranee J. Lenz, Pharm.D., assistant professor to associate professor,  
Pharmacy Practice, School of Pharmacy;

James R. Loflin, M.D., assistant professor to associate professor,  
Emergency Medicine, School of Medicine;

Sherry A. Luedtke, Pharm.D., assistant professor to associate  
professor, Pharmacy Practice, School of Pharmacy;

Nelly A. Otera, M.D., assistant professor to associate professor, Family  
and Community Medicine, School of Medicine;

Frank L. Quattromani, M.D., associate professor to professor,  
Radiology, School of Medicine;

Dana S. Phillips, M.D., assistant professor to associate professor, Obstetrics and Gynecology, School of Medicine;

De An Smith, M.S., instructor to assistant professor, Rehabilitation Sciences, School of Allied Health Sciences;

Vijay Tonk, Ph.D., associate professor to professor, Pediatrics, School of Medicine;

Ruc Manh Tran, M.D., associate professor to professor, Pathology, School of Medicine;

Roxanne M. Tyroch, M.D., assistant professor to associate professor, Internal Medicine, School of Medicine;

Alan H. Tyroch, M.D., assistant professor to associate professor, Surgery, School of Medicine; and

Tracey A. Woodward, R.N., M.S.N., instructor to assistant professor, School of Nursing.

- VI.C.11. TTUHSC: Authorize the School of Medicine to accept the donation of a medical practice in the specialty of allergy and immunology from donor R.J. Mehdiabadi, M.D.—The board accepted the donation of Dr. R. J. Mehdiabadi's active medical practice in the areas of allergy and immunology.

- VII. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 2:59 p.m. on Thursday, February 27, the board reconvened in 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 of Regents.

#### VII.A. COMMITTEE OF THE WHOLE

Chairman Black announced that for the purpose of facilitating action on the items to be considered, Vice Chair Newby would preside over the Committee of the Whole.

- VII.A.1. TTUS: Approve adoption of Amended and Restated Fifth Supplemental Resolution to the Master Resolution establishing the Revenue Financing System Commercial Paper Program and approving and authorizing instruments and procedures relating thereto.—Mr. Brunjes presented the item to adopt and approve the

Amended and Restated Fifth Supplemental Resolution to the Master Resolution, included herewith as Attachment No. 8, establishing the Revenue Financing System Commercial Paper Program and approving and authorizing instruments and procedures related thereto. This Resolution allows the Texas Tech University System to provide liquidity in support of Commercial Paper Notes by utilizing available Texas Tech University System funds in lieu of bank liquidity support.

Following discussion, Regent Newby moved that the board approve the adoption of the Amended and Restated Fifth Supplemental Resolution to the Master Resolution, as presented. The motion was seconded, and passed unanimously.

VII.A.2. TTUS: Report of the Investment Advisory Committee; approve Mid-Cap Equity Investment Manager and Hedge Fund Investment Managers.—Mr. Brunjes presented the report of the Investment Advisory Committee and the following recommendations of the committee:

- (a) Hotchkis and Wiley Capital Management, be hired as a Mid-Cap equity manager in accordance with the asset allocation plan of the Long Term Investment Fund as approved by the Board of Regents;
- (b) State Street Global Advisors be hired as an investment manager for the above index funds until such time as investment managers in approved asset classes have been hired in accordance with the asset allocation plan of the Long Term Investment Fund as approved by the Board of Regents; and
- (c) Taconic Capital Partners, L.P., King Street Capital, L.P., and Oaktree Capital Management, LLC be hired as alternative asset (hedge fund) managers in accordance with the asset allocation plan of the Long Term Investment Fund as approved by the Board of Regents.

Mr. Brunjes also noted that the committee had discussed hedge funds and the procedure for handling investment of hedge funds. He stated that although the leverage of one individual investment firm could be greater than 2 to 1, the leverage of the overall portfolio of hedge funds would be maintained at less than 2 to 1. Mr. Brunjes further noted that the committee had concluded that it is still within prudent management for the leverage of the entire portfolio of hedge funds to be less than 2 to 1.



Following discussion, Regent Newby moved that the board approve the recommendation of the Investment Advisory Committee to hire the investment managers as presented. The motion was seconded, and passed unanimously.

- VII.A.3. TTUS: Finding of fact for a multi-year employment contract.—Mr. Campbell presented the item for a finding of fact by the board concerning entering into a multi-year employment contract with M. Roy Wilson, M.D., to serve as president of Texas Tech University Health Sciences Center; and authorizing the chancellor to extend an offer to Dr. Wilson upon such terms as the chancellor deems appropriate.

Following discussion, Regent Newby moved that the board determine that it is in the best interest of Texas Tech University Health Sciences Center to enter into a multi-year employment contract with M. Roy Wilson, M.D., to serve as president of Texas Tech University Health Sciences Center; and authorize chancellor to extend an offer to Dr. Wilson upon such terms as the chancellor deems appropriate. The motion was seconded, and passed unanimously.

Vice Chair Newby stated that consideration of items by the Committee of the Whole was concluded.

## VII.B. REPORT OF EXECUTIVE SESSION

Chairman Black called on Vice Chair Newby to present motions regarding items discussed in Executive Session.

Regent Newby moved that the board authorize the general counsel to resolve the three pending lawsuits within the parameters set forth in the Executive Session. The motion was seconded, and passed unanimously.

- VII.C. REPORT ON OFFICE OF COMMUNITY AND MULTICULTURAL AFFAIRS.—Chairman Black called on Chancellor Smith who, along with Cathy Allen, Vice Chancellor for Community and Multicultural Affairs, presented the report on the Office of Community and Multicultural Affairs, included herewith as Attachment No. 9.

A brief discussion of HUBs was also included in this report. It was noted that a full report on the HUB program will be presented at the Board of Regents meeting in May.

VII.D. REPORT ON RACIAL PROFILING PROTECTION ACT.—Chairman Black called on Mr. Brunjes who presented the report on the Racial Profiling Protection Act, included herewith as Attachment No. 10.

VII.E. SCHEDULE FOR BOARD MEETINGS.—Mr. Ben Lock presented the following proposed schedule for future board meetings. May 15-16, 2003, Lubbock; August 7-8, 2003, Lubbock (at TTUHSC); October 2-3, 2003, Lubbock; December 18-19, 2003, Lubbock; February 26-27, 2004, (workshop/retreat), Amarillo; and May 13-14, 2004, Lubbock.

Mr. Lock noted that in response to recent suggestions from the regents, the above schedule will be revised and resubmitted to the board for its consideration at the May board meeting.

VII.F. THE PRESIDENT'S REPORT, TTU.—Interim President Haragan deferred his report to Chancellor Smith.

VII.G. THE PRESIDENT'S REPORT, TTUHSC.—Acting President Cavin deferred his report to Chancellor Smith.

VII.H. CHANCELLOR'S REPORT.—Chairman Black called on Chancellor Smith who presented the Chancellor's Report, included herewith as Attachment No. 11.

VII.I. CHAIRMAN'S ANNOUNCEMENTS.—Chairman Black appointed Regent Brown (chair), Regent Brooks and Regent Newby to the Infinito Horizonte Award nominating committee. Chairman Black asked that the committee consider whether there is an appropriate nominee for the Award and make its report at the May board meeting.

Chairman Black and Chancellor Smith presented plaques to retiring Regents Nancy Jones and John Jones. Regent Nancy Jones stated that she appreciates the new friends and colleagues she has acquired through her service on the board. She also noted that she admires the motivation and commitment that the people at Texas Tech have for Texas Tech University, the System, and the Health Sciences Center. She considered her service on the board to be a privilege and noted that she now has an increased appreciation for sports.

Regent John Jones stated that he has enjoyed his six years of service on the board and expressed his appreciation for everything that has been done for he and his family.

VII.J. ADJOURNMENT.—Regent Brooks moved that the meeting be adjourned. The motion was seconded and passed unanimously. Chairman Black adjourned the meeting at approximately 4:35 p.m.

## INDEX OF ATTACHMENTS

Attachment 1	TTU Budget Adjustments for the period November 1, 2002 through December 31, 2002
Attachment 2	TTUHSC Traffic and Parking Regulations, Fee and Refund Schedule
Attachment 3	TTU Global Fee document
Attachment 4	TTUHSC Global Fee document
Attachment 5	Revised charter of Office of Audit Services
Attachment 6	Amendments to Chapter 07, <i>Regents' Rules</i>
Attachment 7	TTUS Report on the Office of Facilities Planning and Construction projects
Attachment 8	TTUS Amended and Restated Fifth Supplemental Resolution to the Master Resolution
Attachment 9	TTUS Report of the Office of Community and Multicultural Affairs
Attachment 10	TTUS Report on Racial Profiling Protection Act
Attachment 11	TTUS Chancellor'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 February 27, 2003.

Ben Lock  
Secretary

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