

TEXAS TECH UNIVERSITY SYSTEM  
Lubbock, Texas

Minutes

Board of Regents  
May 13-14, 2004

Thursday, May 13, 2004.—The members of the Board of Regents of the Texas Tech University System convened at 1:00 p.m. on Thursday, May 13, 2004, 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; E. R. “Dick” Brooks; F. Scott Dueser; J. Frank Miller, III; Windy Sitton; and Bob L. Stafford. Regents Carin Barth and L. Frederick “Rick” Francis were unable to attend.

Also participating at the opening of the meeting were Dr. David R. Smith, Chancellor, TTU System; Dr. Jon Whitmore, President, Texas Tech University; Dr. M. Roy Wilson, 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; Mr. Mike Ellicott, Vice Chancellor for Facilities Planning and Construction, TTUS; Mr. Mike Sanders, Vice Chancellor for Governmental Relations, TTUS; Mr. Mark Lindemood, Vice Chancellor for Institutional Advancement, TTUS; Ms. Lynn Denton, Associate Vice Chancellor for Communications and Marketing, TTUS; Mrs. Fran Grogan, Managing Director, Office of Audit Services, TTUS; Mr. Michael Phillips, Chief Information Officer, TTUS; Dr. William Marcy, Provost, TTU; Mr. Mike Wilson, Interim Vice President for Fiscal Affairs, TTU; Dr. Michael Shonrock, Vice President for Student Affairs, TTU; Dr. Robert Sweazy, Vice President for Research, Technology Transfer and Economic Development, TTU; Mr. Max Hinojosa, Vice President for Operations, TTU; Mr. Elmo Cavin, Executive Vice President, TTUHSC; Mr. Mitchell Moses, President, Student Government Association, TTU; Ms. Lameace Salman, President, Student Government Association, TTUHSC; and Ms. 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.

- I.A. INTRODUCTIONS AND RECOGNITIONS.—Chairman Black called on Dr. Whitmore for a special introduction. Dr. Whitmore introduced Dr. Abdelhafid Gafaiti, Professor of Classical and Romance Languages, who has recently been designated as a Horn Professor. Dr. Whitmore noted that Dr. Gafaiti is one of the foremost international authorities of French literature and issues concerning his native Algeria and is the author of nine books – seven of which were published while he has been a professor here at Texas Tech University.
- II. OPEN SESSION.—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.
- II.A. APPROVAL OF MINUTES.—Regent Sitton moved that the minutes of the board meeting held on February 27, 2004, as amended, and the board workshop/retreat held on April 5, 2004 be approved. Regent Miller seconded the motion, and the motion passed unanimously.

II.B. COMMITTEE OF THE WHOLE

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

- II.B.1. Regent Newby presented the item regarding approval of the Consent Agenda and acknowledgment of review of the Information Agenda. Regent Newby moved that the Consent Agenda be approved. The motion was seconded and passed unanimously. The following are the Minute Orders approved by this motion:
- II.B.1.a. TTU: Approve conferral of degrees for May 15, 2004 and August 7, 2004 commencements.—The board approved the conferral of degrees for the May 15, 2004 and August 7, 2004 commencements upon all candidates who have completed requirements for degrees since the last official commencement and who are certified by the appropriate faculties, deans, and registrar of Texas Tech University as having met all degree requirements of the degree as indicated by the official printed commencement programs of May 15, 2004 and August 7, 2004, as approved administratively by the president and the chancellor.

- II.B.1.b. TTU: Approve leaves of absence.—The board approved the following leaves of absence, as approved administratively by the president and the chancellor:

Leave without pay for Vaughn James, associate professor, School of Law, for the period January 1, 2005 through May 15, 2005. The purpose of this leave is to teach as a distinguished visiting professor at Southern Illinois University in Carbondale, Illinois;

Leave without pay for Frank Lopez, associate professor, School of Law, for the period September 1, 2004 through August 15, 2005. The purpose of this leave is to assist with the formation of a non-profit resource center in the El Paso region. This leave will be taken in El Paso, Texas;

Leave without pay for W. David Nes, professor, Department of Chemistry and Biochemistry, for the period September 1, 2004 through August 15, 2005. The purpose of this leave is to serve as a program manager for the Metabolic Biochemistry study section of the National Science Foundation. This leave will be taken in Arlington, Virginia;

Leave without pay for Vaia Papadimitriou, professor, Department of Physics, for the period September 1, 2004 through August 15, 2005. The purpose of this leave is to conduct research on the Tevatron Accelerator at the Fermi National Accelerator Laboratory, which is required per his research grant. This leave will be taken in Batavia, Illinois;

Leave without pay for Ronald Rainger, professor, Department of History, for the period September 1, 2004 through August 15, 2005. The purpose of this leave is to work as the Program Director of the Science Technology Studies Program of the National Science Foundation. This leave will be taken in Arlington, Virginia; and

Leave without pay for Rachel Van Cleave, professor, School of Law, for the period September 1, 2004 through May 15, 2005. The purpose of this leave is to work as a visiting professor at Golden Gate University's law school. This leave will be taken in San Francisco, California.

- II.B.1.c. TTU: Approve emeritus appointments.—The board approved the granting of emeritus status to Harry William Parker, Ph.D., professor, Department of Chemical Engineering, College of Engineering (33 years), and Ron Anderson, Ph.D., Dean of Graduate School, and professor, Department of Mathematics and Statistics, College of Arts

and Sciences (38 years), as approved administratively by the president and the chancellor.

- II.B.1.d. TTU: Approve exception to Section 03.01.8, *Regents' Rules*.—The board approved an exception to Section 03.01.8.c, Nepotism, *Regents' Rules*, to allow Richard Wampler, Ph.D., husband of Karen Wampler, new chair of the newly created Department of Applied and Professional Studies in the College of Human Sciences, to be employed as professor, Department of Applied and Professional Studies, as approved administratively by the president and the chancellor. Dr. Richard Wampler is a professor in the Marriage and Family Therapy program, which is being moved to the Department of Applied and Professional Studies. He will be supervised by Dr. David Ivey, Director for the Marriage and Family Therapy Program, with final approval for personnel and compensation matters under the responsibility of Dr. Linda Hoover, Dean, College of Human Sciences.
- II.B.1.e. TTU: Approve addition of delivery at a distance for one degree program.—The board (i) approved the delivery of the following master's degree program, previously approved and currently being offered in a traditional format, to be offered through distance delivery modes, and (ii) authorized the chancellor to cause a proposal to be submitted to the Texas Higher Education Coordinating Board seeking approval for delivery of such program at a distance, as approved administratively by the president and the chancellor:
- Master of Science in Multidisciplinary Science – Graduate School
- II.B.1.f. TTUHSC: Approve conferral of degrees for May 22, 2004 commencement.—The board approved the conferral of degrees for the May 22, 2004 commencement upon all candidates who have completed requirements for degrees since the last official commencement and who are certified by the faculties, deans and registrar of Texas Tech University Health Sciences Center as having met all requirements of the degree as indicated by the official printed commencement program of May 22, 2004, as approved administratively by the president and the chancellor.
- II.B.1.g. TTUHSC: Approve revisions to the *Code of Professional and Academic Conduct* of the Student Affairs Handbook to be effective August 1, 2004.—The board approved the revisions to the *Code of Professional and Academic Conduct* of the Student Affairs Handbook 2004-2005 for Texas Tech University Health Sciences Center, as amended, included herewith as Attachment No. 1, to be effective August 1, 2004, as approved administratively by the president and the chancellor.

- II.B.1.h. TTU: Approve budget adjustments for the period January 1, 2004 through March 31, 2004.—The board approved budget adjustments for the period January 1, 2004 through March 31, 2004, included herewith as Attachment No. 2, as approved administratively by the president and the chancellor.
- II.B.1.i. TTU and TTUHSC: Approve nonresident tuition assessment effective Fall semester, 2004.—The board approved the setting of nonresident tuition to the amount determined by the Coordinating Board, beginning with the Fall semester, 2004, as approved administratively by the presidents and the chancellor.

The Coordinating Board by statute is charged with determining the appropriate amount to be charged for nonresident tuition. On March 11, 2004, Commissioner Brown published a revised rate for FY 2005 (beginning Fall semester, 2004) to be \$306 per semester credit hour.

- II.B.1.j. TTUS, TTU and TTUHSC: Approve delegation of signature authority.—The board approved the delegation of signature authority, in accordance with the following requests approved administratively by the presidents and the chancellor:

The request in accordance with *Texas Government Code*, Section 2103.061:

- (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, 2004, and to continue until August 31, 2005, 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, 2004, and to continue until August 31, 2005, 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, 2004 and to continue until August 31, 2005 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, 2004 and to continue until August 31, 2005, 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:
  - David R. Smith, M.D., Chancellor
  - Jim Brunjes, Senior Vice Chancellor and CFO
  - Jon S. Whitmore, Ph.D., President
  - William M. Marcy, Provost
  - Mike Wilson, Interim Vice President for Fiscal Affairs
  - Charlie L. Stallings, Associate Vice President for Fiscal Affairs
  - Nancy H. Whittaker, Assistant Vice President for Fiscal Affairs and Comptroller
  - Gloria J. Hale, Assistant Vice President for Human Resources
  - Rebecca Perez, Director of Grants and Contracts Accounting
  
- (5) To sign and/or countersign cashier's checks drawn on the university's Cashier's Account, effective September 1, 2004, and to continue until August 31, 2005 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:

David R. Smith, M.D., Chancellor  
Jim Brunjes, Senior Vice Chancellor and CFO  
Jon S. Whitmore, Ph.D., President  
Mike Wilson, Interim Vice President for Fiscal  
Affairs  
Charlie L. Stallings, Assistant Vice President for  
Fiscal Affairs  
Gloria J. Hale, Assistant Vice President for Human  
Resources  
Rebecca Perez, Director of Grants and Contracts  
Accounting

Employees who may countersign only:

Becky Hyde, Director of Student and University  
Financial Services

- (6) To authorize transfer by wire or other means, of funds between Texas Tech University depositories, effective September 1, 2004, and to continue until August 31, 2005, 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:

David R. Smith, M.D., Chancellor  
Jim Brunjes, Senior Vice Chancellor and CFO  
Jon S. Whitmore, Ph.D., President  
Charles D. Wall, Assistant Vice Chancellor,  
Investments and Assistant CFO  
Yvette Acosta, Manager of Cash Management  
Mike Wilson, Interim Vice President for Fiscal  
Affairs  
Charlie L. Stallings, Associate Vice President for  
Fiscal Affairs  
Nancy H. Whittaker, Assistant Vice President for  
Fiscal Affairs and Comptroller

- (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, 2004, and to continue until August 31, 2005, or until such time as they are separated from the university or assigned other duties or responsibilities:

David R. Smith, M.D., Chancellor  
Jim Brunjes, Senior Vice Chancellor and CFO  
Jon S. Whitmore, Ph.D., President  
Charles D. Wall, Assistant Vice Chancellor,  
Investments and Assistant CFO  
Mike Wilson, Interim Vice President for Fiscal Affairs  
Charlie L. Stallings, Associate Vice President for  
Fiscal Affairs  
Nancy H. Whittaker, Assistant Vice President for Fiscal  
Affairs

The request in accordance with *Texas Administrative Code*, Title 34, Part 1, Chapter 5, Subchapter F, Rule §5.61:

- (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, 2004, and to continue until August 31, 2005, 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:

- (9) To sign checks drawn on all checking accounts of the Health Sciences Center in any depository bank effective September 1, 2004, and to continue until August 31, 2005, 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:

M. Roy Wilson, M.D., M.S., President  
David R. Smith, M.D., Chancellor  
Jim Brunjes, Senior Vice Chancellor and CFO  
Elmo M. Cavin, Executive Vice President  
Michael Crowder, Associate Vice President for  
Business Affairs  
Celeste Kulinski, Director of Business Services  
Carole Wardroup, Director of HSC Business  
Projects  
Thomas B.M. Downen, Director of Accounting  
Services



Christine Blakney, Associate Managing 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, 2004, and to continue until August 31, 2005, 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:

M. Roy Wilson, M.D., M.S., President  
David R. Smith, M.D., Chancellor  
Jim Brunjes, Senior Vice Chancellor and CFO  
Charles D. Wall, Assistant Vice Chancellor,  
Investments and Assistant CFO  
Elmo M. Cavin, Executive Vice President  
Michael Crowder, Associate Vice President for  
Business Affairs  
Carole Wardroup, Director of HSC Business  
Projects  
Celeste Kulinski, Director of Business Services  
Thomas B.M. Downen, Director of Accounting Services  
Christine Blakney, Associate Managing Director of  
Accounting Services  
Yvette Acosta, Manager of Cash Management,  
TTUSA

The request in accordance with Section 09.01.5, *Regents' Rules*:

- (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, 2004, and to continue until August 31, 2005, or until such time as they are separated from the Texas Tech University System or assigned other duties of responsibilities, whichever comes first:

M. Roy Wilson, M.D., M.S., President  
David R. Smith, M.D., Chancellor  
Jim Brunjes, Senior Vice Chancellor and CFO  
Charles D. Wall, Assistant Vice Chancellor,  
Investments and Assistant CFO  
Elmo M. Cavin, Executive Vice President

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:

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

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 2004, 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 February 29, 2004 for fiscal year 2004;  
and
  - (b) TTUHSC: Report dated February 29, 2004 for fiscal year 2004.
- (2) TTU: Small Class Reports, Fall 2003 and Spring 2004, per Section 04.10, *Regents' Rules*: "A report on small classes offered shall be reported to the board as information."
  - (a) TTU: Report dated Fall 2003; and
  - (b) TTU: Report dated Spring 2004.
- (3) 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) El Paso County Hospital District, dba R.E. Thomason General Hospital; Medical Services Agreement; 9/1/02-8/31/03; \$6,508,228;
  - (b) Northwest Texas Healthcare System; Master Services Agreement; effective 3/1/04; \$3,938,929; and

- (c) Lubbock County Hospital District, dba University Medical Center; Master Coordinating Agreement; 7/1/02-6/30/04; \$20,000,000.
- (4) 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) Bristol, Benjamin Lee, M.D., Assistant Professor/NTT; Pathology, Lubbock; 3/1/04-2/28/05; \$130,000;
  - (b) Cuhaci, Bulent, M.D., Associate Professor/NTT; Internal Medicine, Odessa; 3/1/04-8/31/06; \$175,000;
  - (c) Rleming, Rhonda, M.D., Assistant Professor/NTT; Internal Medicine, El Paso; 4/1/04-8/31/04; \$130,000;
  - (d) Gonzalez-Aller, Jesus, M.D., Instructor/NTT; Ob/Gyn, El Paso; 2/1/04-8/31/04; \$150,000;
  - (e) Guerra, Margarita M., M.D., Assistant Professor/NTT; Pediatrics, Amarillo; 2/1/04-8/31/05; \$125,000;
  - (f) Johnston, Robert, M.D., Associate Professor/NTT; Anesthesiology, Lubbock; 2/3/04-8/31/05; \$217,500;
  - (g) Moreu, Gil M., DPM, Faculty Associate/NTT; Orthopaedic Surgery, El Paso; 3/1/04-8/31/04; \$140,000;
  - (h) Olano, Sheila, M.D., Assistant Professor/NTT; Internal Medicine, Odessa; 3/1/04-8/31/04; \$150,000;
  - (i) Sanchez, German A., M.D., Instructor/NTT; Pediatrics, Amarillo; 2/1/04-8/31/05; \$110,000;
  - (j) Santana, Dixon, M.D., Assistant Professor/NTT; Surgery, Lubbock; 1/2/04-8/31/04; \$208,000;
  - (k) Springmann, Kurt, M.D., Assistant Professor/NTT; Anesthesiology, El Paso; 1/1/04-8/31/05; \$210,000;
  - (l) Tamar, Kyron, M.D., Assistant Professor/NTT; Ob/Gyn, Odessa; 4/15/04-8/31/04; \$275,000;
  - (m) Van Hook, Catherine, M.D., Assistant Professor/NTT; Ob/Gyn, Amarillo; 3/1/04-8/31/05; \$164,000; and
  - (n) Votta, Richard P., M.D., Associate Professor/NTT; Pediatrics, Amarillo; 2/1/04-8/31/05; \$140,000.

The motion was seconded and passed unanimously.

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

III. OPEN SESSION.—The board continued in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, for the purpose of recessing into meetings of its Standing Committees.

- IV. MEETINGS OF STANDING COMMITTEES.—Chairman Black stated that due to a lack of a quorum for the Finance and Administration Committee, the board will meet as a Committee of the Whole for the purpose of hearing Finance and Administration Committee items. Chairman Black also stated that committee reports to the full board for its consideration would be presented for approval during the board meeting on Friday, May 14, 2004.

At the direction of Chairman Black, the board met as a Committee of the Whole from approximately 1:06 p.m. until approximately 1:21 p.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider and act on the matters of the Finance and Administration Committee.

At approximately 1:21 p.m., at the direction of Chairman Black, the board recessed into meetings of the Facilities Committee and the Academic, Clinical and Student Affairs Committee, which were conducted sequentially in open session. The Facilities Committee met from approximately 1:21 p.m. until approximately 1:42 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 1:42 p.m. until approximately 2:12 p.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas.

- IV.A. ITEMS RELATED TO THE FINANCE AND ADMINISTRATION COMMITTEE.—The board met in open session as a Committee of the Whole from approximately 1:06 p.m. until approximately 1:21 p.m. in the Board Room, Second Floor, Room 201, Administration Building, to consider and act on matters related to the Finance and Administration Committee. Unless otherwise indicated, the actions set forth in the Minute Orders that follow were approved in open session and without objection by the Board of Regents of the Texas Tech University System.

IV.A.1. TTUSA, TTU and TTUHSC: Approve FY 2005 operating budgets.—By general consensus, consideration of this item was postponed until Friday, May 14. (See Minute Order VIII.B.1)

IV.A.2. TTU: Approve establishment of a quasi-endowment for the Texas Tech University Regents Professors.—Following presentation by Dr. Marcy, and upon a motion by Regent Miller, duly seconded, the board authorized that \$10 million from the granting of an easement of Texas Tech University land to the Texas Department of Transportation for the Marsha Sharp Freeway be established as a quasi-endowment matching fund for the Texas Tech University Regents Professors and other academic priorities included in Path to Preeminence. The current value of the quasi-

endowment is \$9.75 million, with annual interest earnings of approximately \$300,000.

- IV.A.3. TTU: Authorize consulting agreement for assistance in advancing federal research initiatives.—Following presentation by Dr. Whitmore, and upon a motion by Regent Miller, duly seconded, the board authorized the president to negotiate and enter into an agreement to engage a consultant to work with Texas Tech University leadership in advancing its federal research initiatives.
  
- IV.A.4. TTUHSC: Approve establishment of a quasi-endowment for the Texas Tech University Health Sciences Center Regents Professors.—Following presentation by Mr. Cavin, and upon a motion by Regent Dueser, duly seconded, the board authorized that \$2 million from general designated funds be established as a quasi-endowment matching fund for the Texas Tech University Health Sciences Center Regents Professors.
  
- IV.A.5. TTUHSC: Approve FY 2005 premium rates for the Professional Medical Self-Insurance Plan.—Following presentation by Mr. Cavin, and upon a motion by Regent Newby, duly seconded, the board approved the findings and recommendations contained in the April 7, 2004 Plan Solvency Study & Rate Review of the Plan prepared by Fred R. White Companies, Fred R. White, C.P.C.U., for the period September 1, 2004 through August 31, 2005. The recommendations are as follows: (i) premiums be decreased 25% for FY05, for the faculty physicians the Professional Liability Division of the Office of General Counsel (PLD) believes have the protection of House Bill 4; (ii) premiums be decreased 5% for resident physicians for FY 05; and (iii) premiums are established as set forth in the annual rate schedule enumerated below:

Annual Premium Rate Schedule  
(September 1, 2004 through August 31, 2005)

<u>Risk Class</u>	<u>Faculty w/protection of HB4</u>	<u>Faculty w/o protection of HB4</u>	<u>Resident</u>
1	\$ 2,529	\$3,366	\$ 2,018
2	3,219	4,268	3,219
3	7,127	9,471	5,687
4	11,725	15,574	9,357
5	16,323	21,684	16,160

The board further approved the recommendation that premiums be abated for the remainder of FY04 and for all of FY05 for faculty members of the

academic clinical departments who are members of the Medical Practice Income Plan and who contribute to the educational mission of the School of Medicine and who are covered by the protection of HB4. This recommendation is contingent upon the findings and recommendation of a FY05 mid-year actuarial study. Residents and all other physicians insured by the Plan shall pay the premiums set forth above for the FY05 Plan year.

IV.B. MEETINGS OF THE FACILITIES COMMITTEE AND ACADEMIC, CLINICAL AND STUDENT AFFAIRS COMMITTEE.—At approximately 1:21 p.m., at the direction of Chairman Black, the board recessed into meetings of the Facilities Committee and the Academic, Clinical and Student Affairs Committee, which were conducted sequentially in open session. The Facilities Committee met from approximately 1:21 p.m. until approximately 1:42 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 1:42 p.m. until approximately 2:12 p.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas.

V. EXECUTIVE SESSION.—At approximately 2:12 p.m., the board recessed and convened into Executive Session as authorized by Chapter 551 of the *Texas Government Code*.

RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 4:00 p.m. on Thursday, May 13, the board reconvened in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to recess until the morning of Friday, May 14, 2004.

VI. CALL TO ORDER; RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 9:00 a.m. on Friday, May 14, the board reconvened in open session 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; F. Scott Dueser; L. Frederick “Rick” Francis, J. Frank Miller, III; Windy Sitton; and Bob L. Stafford.

Also participating at the opening of the meeting were Dr. David R. Smith, Chancellor, TTU System; Dr. Jon Whitmore, President, Texas Tech University; Dr. M. Roy Wilson, 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; Mr. Mike Ellicott, Vice Chancellor for Facilities Planning and Construction, TTUS; Mr. Mike Sanders, Vice Chancellor for Governmental Relations, TTUS; Mr. Mark Lindemood, Vice Chancellor for Institutional Advancement, TTUS; Ms. Lynn Denton, Associated Vice Chancellor for Communications and Marketing, TTUS; Mrs. Fran Grogan, Managing Director, Office of Audit Services, TTUS; Mr. Michael Phillips, Chief Information Officer, TTUS; Dr. William Marcy, Provost, TTU; Mr. Mike Wilson, Interim Vice President for Fiscal Affairs, TTU; Dr. Michael Shonrock, Vice President for Student Affairs, TTU; Dr. Robert Sweazy, Vice President for Research, Technology Transfer and Economic Development, TTU; Mr. Max Hinojosa, Vice President for Operations, TTU; Mr. Elmo Cavin, Executive Vice President, TTUHSC; Mr. Mitchell Moses, President, Student Government Association, TTU; Ms. Lameace Salman, President, Student Government Association, TTUHSC; and Ms. Lucy Lanotte, Executive Secretary to the Board of Regents.

VII. INTRODUCTIONS AND RECOGNITIONS.—Dr. Smith acknowledged the accomplishments of Dr. Jon Whitmore, who last month was inducted into the College of Fellows of the American Theater in New York. The investiture of the college is considered one of the highest honors bestowed on educators and professionals of the American professional stage community. Dr. Smith noted that Dr. Whitmore is an expert in dramatic writings of William Saroyan, is the author of three books, and has produced almost 200 performances.

Dr. Smith also introduced Ms. Lynn Denton, the new Associate Vice Chancellor for Communications and Marketing. Dr. Smith noted that most recently, Ms. Denton worked at the Texas Higher Education Coordinating Board where she was responsible for the marketing and promotion of the “Go Campaign.”

Dr. Whitmore introduced the following members of the Texas Tech University faculty:

- Dr. Pamela Eibeck, the new Dean of the College of Engineering. Dr. Eibeck comes to Texas Tech from Northern Arizona University and prior to that was a faculty member at the University of California at Berkeley.
- Dr. Marvin Cepica, the new Dean of the College of Agricultural Sciences and Natural Resources. Dr. Cepica was the Associate Dean of the College for about 20 years and has been a great contributor to the advancement of the College of Agriculture for years.

- Dr. Michelle Pantoya, an Assistant Professor in Mechanical Engineering, who is the winner of the Department of Defense Presidential Early Career for Scientists and Engineers Award. Her award was presented by President George Bush at the White House on May 4. This is the first time the highest award bestowed by the U.S. government for scientists and engineers beginning their careers has come to Texas Tech University. Dr. Pantoya will receive a five-year, \$500,000 grant to participate in this program.
- Dr. Gerald Skoog, Horn Professor in the College of Education, received the Carleton Award from the National Science Teachers Association. This is the highest award given by this association and recognizes one National Science Teachers Association member who has made outstanding contributions to and provided leadership in science education at a national level.

Dr. Whitmore then introduced the following students:

- Mark DesNoyer, who has been named the Outstanding Law Student of the Year in America by *Who's Who of the American Law Students*. Mr. DesNoyer is a third-year student and is the first Red Raider to claim this top national award.
- Kevin Morris, who is the top graduating Air Force ROTC cadet at Texas Tech University this year. Mr. Morris received the National Level United States Air Force Award called the Major General Robert E. Sadler Honor Award. It is presented annually to the number one Air Force ROTC candidate majoring in electrical engineering from across the nation.
- Two athletic scholars: Lady Raider Basketball team member Jolee Ayers-Curry and Dupree Scovell, Red Raider Football team member. They were named the female and male student athlete of the year.
- Stacy Stockard, our new Masked Rider.

Dr. Whitmore also introduced the new Student Government Association officers, including Mitchell Moses, President; Nathan Nash, Internal Vice President; Anne Hunninghake, External Vice President; and Alisa Abuzeineh, Vice President for Graduate Affairs.

Dr. Wilson introduced Dr. Neil Kurtzman, the new Grover E. Murray Professor at the Health Sciences Center. Dr. Wilson noted that some of Dr. Kurtzman's accomplishments during his professional career include the publication of three medical books, over 300 scientific papers and more than 340 abstracts and presentations, as well as being very involved with the development of both the nephrology division of the Department of Internal Medicine and the Department of Internal Medicine when he served as Chair of that department.



Dr. Wilson also introduced the new Student Government Association officers:

- Lameace Salman, President, from Arizona, enrolled in the Masters in Athletic Training Program in the School of Allied Health Sciences. Ms. Salman will graduate in May of 2005.
- Ms. Kristi Latham, Vice President for Operations, from Odessa, enrolled in the Master of Physical Therapy Program in the School of Allied Health Sciences. Ms. Latham graduates in May 2006.
- Ms. Brandie Brown, Vice President for Communications, from San Angelo, enrolled in the Master of Physical Therapy Program in the School of Allied Health Sciences. Ms. Brown graduates in May of 2006.
- Ms. Kandy Bullajian, Vice President for Finance, from Waco, enrolled in the Bachelor of Science in Nursing Program in the School of Nursing. Ms. Bullajian graduates in August of 2005.

Chairman Black called on Lameace Salman to make any comments to the board as she was unable to stay for the full meeting of the board.

- VIII. OPEN SESSION.—At approximately 9:18 a.m. on Friday, May 14, the board continued in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, and, at the direction of Chairman Black, recessed into the meeting of the Finance and Administration Committee.

The Finance and Administration Committee met from approximately 9:18 a.m. until approximately 10:05 a.m. in the Board Room, Second Floor, Room 201, Administration Building.

At approximately 10:05 a.m., the board continued meeting in open session in the Board Room, Second Floor, Room 201, Administration Building, to consider items as the Committee of the Whole and Meeting of the Board.

#### VIII.A. COMMITTEE OF THE WHOLE

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

- VIII.A.1. TTUS: Report of Investment Advisory Committee and approve committee recommendations.—Regent Barth reported that members of the Investment Advisory Committee met on May 10, 2004 and recommended that EnCap Investments L.P. be hired as an alternative asset private equity investment manager to comply with the asset allocation plan of the Long Term Investment Fund as set forth by the Board of Regents.

Regent Barth noted that this would fall under the alternative investment allocation and would be the second investment with ENCAP. It is projected that the first investment will be somewhere between 25% and 30%.

Following discussion, Regent Newby moved that the board accept the report of the Investment Advisory Committee and approve the engagement of the investment manager as presented. The motion was seconded and passed unanimously.

- VIII.A.2. TTUS: Approve establishment of an Audit Committee and related amendments to Chapter 01, *Regents' Rules* (Bylaws); report of Audit Committee.—Mr. Brunjes presented the item to approve the establishment of an Audit Committee of the Board of Regents and the following related amendments to Chapter 01, *Regents' Rules* (Bylaws):

Amend Section 01.01.8, Board committees, by adding the following new subsection:

“f. Audit Committee. The Audit Committee shall have five members. The committee shall assure that the board maintains direct access to both internal and external audits of the TTU system. The Audit Committee shall recommend to the board guidelines for the operation of the committee and the auditing functions throughout the TTU system. The Director of Internal Audits shall be responsible to the board through the Audit Committee. The committee shall:

- (1) provide oversight of the internal and external audits;
- (2) make recommendations for the selection of external auditors;
- (3) review the scope of audits;
- (4) provide guidance for the Director of Internal Audits on risk assessment and audit plans;
- (5) review the findings of all external auditors; and
- (6) review System-wide risk assessment evaluations and plans to address the identified significant risk functions.

No later than August 1 of each year, the Audit Committee-approved annual audit plan will be presented to the board for approval. Audits of the Office of the Board of Regents shall be the responsibility of the full board.”

Regent Brooks reported that the Audit Committee had no recommendations to bring to the board for approval, but that the committee met on May 13 and considered the following matters:

- (1) The hiring of a replacement for Mrs. Fran Grogan, who is retiring at the end of August from her position as the Director of Internal Audit. Regent Brooks noted that the committee initiated a process according to the *Regents' Rules*, is currently reviewing applications received and will have a meeting on June 16 to interview the finalists for the position.
- (2) The risk assessment process for the System, the University and the Health Sciences Center. Regent Brooks noted that this is currently being worked on and hopefully, when the board meets in August, the committee will have an opportunity to discuss risk assessment with the board and the administration.
- (3) The FY 2005 audit plan. Regent Brooks commented that it is expected that the plan will be ready for the board to consider at its August meeting. He noted that the audit plan may be affected by committee recommendations resulting from the August discussions on risk assessment and that should this occur, the final audit plan will be presented to the Audit Committee early in September for approval.

Regent Brooks noted that the Audit Committee is composed of people who are very capable and have a high degree of understanding of what an Audit Committee should be. The board should be very pleased with the work of this committee.

Mr. Brunjes stated that the Audit Committee has been meeting as an ad hoc committee appointed by the Chair at the last board meeting and that one of the items proposed at today's meeting is to amend the Bylaws to formally approve the establishment of the Audit Committee.

Following discussion, Regent Newby moved acceptance of the committee's report and approval of the establishment of an Audit Committee and the related revisions to the Bylaws of the *Regents' Rules* as presented. The motion was seconded and passed unanimously.

Chairman Black informed the board that both Mrs. Grogan and Mrs. Kim Turner have had the opportunity to present the risk assessment process at either a national or a state meeting, noting that the presentations have generated contact from other institutions interested in developing the same process.

- VIII.A.3. TTUS: Approve amendment to Chapter 07, Regents' Rules (Fiscal Management).—Dr. Wilson presented the item to approve the following amendment to Chapter 07, *Regents' Rules* (Fiscal Management), to allow president's approval for four (4) year employment contracts and the chancellor's approval for employment contracts in excess of four (4) years:

Amend Sections 07.12.3.a., Chancellor's approval, and 07.12.4.c., President's approval, as follows:

07.12.3 Chancellor's approval

- a. Approval of the chancellor is required for contracts that involve a stated or implied consideration of \$1,000,000 down to \$250,000 per annum and Texas Tech University Health Sciences Center faculty employment contracts in excess of four (4) years. This is applicable to both cash and non-cash considerations.
- b. Contracts will be signed by the chancellor or by his designee.

07.12.4 President's approval

- c. Approval of the president is required for faculty employment contracts greater than \$100,000 per annum. Approval of the appropriate dean is required for all faculty employment contracts less than or equal to \$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. Texas Tech University faculty Faculty employment contracts executed under this provision will have a term no longer than two (2) years. Texas Tech University Health Sciences Center faculty employment contracts may not exceed four (4) years without approval of the chancellor.

Opportunity for discussion followed the presentation. Regent Newby moved that the board approve the proposed amendment to Chapter 07 of the *Regents' Rules*, as presented, to allow the president's approval for four-year employment contracts and chancellor's approval for employment contracts in excess of four years. The motion was seconded and passed unanimously.

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

## VIII.B. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

Chairman Black called on Regent Barth, Chair, to give the report of the Finance and Administration Committee.

Committee Chairman Barth reported that the Finance and Administration Committee met in open session to consider one matter on its agenda and to formulate one recommendation to the Board of Regents of the Texas Tech University System. Regent Barth noted that Items 2 through 5 on the Finance and Administration Committee agenda had been considered by the board as a Committee of the Whole during Thursday's session. 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.

### VIII.B.1. TTUSA, TTU and TTUHSC: Approve FY 2005 operating budgets.

- a. TTUSA: Approve FY 2005 operating budget.—The board approved the Texas Tech University System Administration FY 2005 operating budget, a summary of which is included herewith as Attachment No. 3, and appropriated the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the board.
- b. TTU: Approve FY 2005 operating budget.—The board approved the Texas Tech University FY 2005 operating budget, a summary of which is included herewith as Attachment No. 4, and appropriated the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the board.
- c. TTUHSC: Approve FY 2005 operating budget.—The board approved the Texas Tech University Health Sciences Center FY 2005 operating budget, a summary of which is included herewith as Attachment No. 5, and appropriated the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the board.

## VIII.C. REPORT OF THE FACILITIES COMMITTEE

Chairman Black called on Regent Brooks, Chair, to give the report of the Facilities Committee.

Committee Chairman Brooks 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.

- VIII.C.1. TTUS: Approve the Five-Year Capital Projects Plan and authorize submission of the MP-1 Report.—The board approved the updated Texas Tech University System Five-Year Capital Projects Plan, included herewith as Attachment No. 6, and authorized the submission of the Texas Tech University System MP-1 Report to the Texas Higher Education Coordinating Board.
- VIII.C.2. TTU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP-1 Report.—The board approved the updated Texas Tech University Five-Year Capital Projects Plan, included herewith as Attachment No. 7, and authorized the submission of the Texas Tech University MP-1 Report to the Texas Higher Education Coordinating Board.
- VIII.C.3. TTUHSC: Approve the Five-Year Capital Projects Plan and authorize submission of the MP-1 Report.—The board approved the updated Texas Tech University Health Sciences Center Five-Year Capital Projects Plan, included herewith as Attachment No. 8, and authorized the submission of the Texas Tech University Health Sciences Center MP-1 Report to the Texas Higher Education Coordinating Board.
- VIII.C.4. TTU: Approve increasing the planning budget for the Student Health and Counseling Center.—The board authorized the Office of Facilities Planning and Construction to increase a previously approved planning budget for the Student Health and Counseling Center from \$130,000 to \$530,000 to complete the design of the Student Health and Counseling Center and verify the total project budget. The increase will be funded from the Student Health Fund Balance.

The expected project cost is approximately \$8,500,000. The project will be funded with revenue bonds repaid with student fees. The project team has completed the planning and programming funded by the initial planning budget. Following additional design and cost estimating work, the project will be presented for approval at the board's August 2004 meeting.

- VIII.C.4a. TTU: Approve project budget for additional work under Stage IIB at Jones SBC Stadium.—The board approved a project budget of \$1,500,000 to fund additional work at Jones SBC Stadium. This work includes fit out of

seven press-level suites, construction of an athletic training table on the press level, the fit-out of a kitchen on the ground level, and construction of a large suite on the press level. The project will be funded by an existing equipment accrual account, a contractual payment from the concession vendor, and the Revenue Financing System repaid with suite revenue and increased concession revenues.

- VIII.C.5. TTU: Approve construction of the National Ranching Heritage Center's DeVitt-Mallet Museum Building East Wing Addition.—The board authorized the Office of Facilities Planning and Construction (i) to proceed with a project to construct the east wing addition to the National Ranching Heritage Center's DeVitt-Mallet Museum Building with a project budget of \$3,700,000; and (ii) to complete the design, obtain project approval from the Texas Higher Education Coordinating Board and award a construction contract. The project will be funded through a \$2,500,000 cash donation from the CH Foundation and \$1,200,000 funded from numerous private cash donations.
- VIII.C.6. TTU: Approve naming of the East Wing of the National Ranching Heritage Center's DeVitt-Mallet Museum Building.—The board approved naming the east wing addition of the National Ranching Heritage Center's DeVitt-Mallet Museum Building the "Christine DeVitt Wing" in recognition of Ms. DeVitt's contributions as the founder of the CH Foundation. Ms. DeVitt was the primary donor of the current David M. DeVitt-Mallet Ranch Museum Building, and the CH Foundation over the years has contributed to many projects at the National Ranching Heritage Center.
- VIII.C.7. 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. 9.

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

Chairman Black called on Regent Newby, Chair, to give the report of the Academic, Clinical and Student Affairs Committee.

Committee Chairman Newby 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.

- VIII.D.1. TTU: Approve appointments with tenure.—The board approved the granting of tenure to the following faculty of Texas Tech University contemporaneously with their appointments:

Pamela Eibeck, Ph.D., new professor and newly selected Dean, College of Engineering. Dr. Eibeck was previously tenured as professor in the College of Engineering and Vice Provost for Undergraduate Studies, at Northern Arizona University in Flagstaff, Arizona; and

William Ballenger, Ph.D., new professor and newly selected Director, School of Music, College of Visual and Performing Arts. Dr. Ballenger was previously tenured as Chair and professor in the Department of Music, at Oklahoma State University, Stillwater, Oklahoma.

- VIII.D.2. TTU: Approve a Doctor of Philosophy in Educational Psychology in the College of Education.—The board approved the new degree program for a Doctor of Philosophy in Educational Psychology, College of Education, and authorized submission, by the Office of the Provost, to the Texas Higher Education Coordinating Board seeking its approval for such a program.

An important rationale for converting from the current Ed.D. degree in Educational Psychology to a Ph.D. is that the current Ed.D. degree is a research-based doctoral degree that already possesses the salient features that are expected/required of a Ph.D. The conversion to the Ph.D. will not require additional resources.

- VIII.D.3. TTU: Approve the creation of the College of Mass Communications.—The board approved creating a separate administrative structure for the College of Mass Communications.

- VIII.D.4. TTU: Approve revisions to the *Code of Student Conduct* of Texas Tech University to be effective August 1, 2004.—The board approved the revisions to the *Code of Student Conduct* for Texas Tech University, as amended, included herewith as Attachment No. 10, to be effective August 1, 2004. Recommended revisions include primarily editorial changes to Sections A through G and substantive changes to Section B, Number 19, Academic Dishonesty, with respect to a comprehensive definition of academic integrity.

- VIII.D.5. TTUHSC: Approve a new Bachelor of Science Degree in Health Sciences in the School of Allied Health Sciences.—The board (i) approved the Bachelor of Science in Health Sciences degree to be awarded through the School of Allied Health Sciences, and (ii) authorized the president to



cause a proposal to be submitted to the Texas Higher Education Coordinating Board (“THECB”) seeking approval for this degree authority.

No substantive additional costs are anticipated to be related to the proposed degree. Texas Higher Education Coordinating Board Staff have indicated general support of this initiative, and anticipate being able to process a program proposal at the THECB Staff level.

- VIII.D.6. TTUHSC: Approve expansion of the combined Master of Athletic Training and Master of Physical Therapy degrees to the School of Allied Health Sciences, Odessa campus.—The board approved the expansion of the combined Master of Athletic Training (“MAT”)/Master of Physical Therapy (“MPT”) degree program to the Odessa campus of the School of Allied Health Sciences.

All students accepted to the dual degree program at the Odessa campus would begin their studies within the MPT curriculum. The substantive portion of their MAT course work would not commence until their third year of study. Therefore, expanding the MAT/MPT curriculum to the Odessa campus will not result in any substantial new costs until 2006, at which time hiring a MAT faculty member in Odessa would be warranted to coincide with the first set of students (placed in Odessa in Summer of 2004) who would begin the MAT portion of the dual degree curriculum. The facilities and physical resources presently available in Odessa meet the needs of both MAT and MPT students.

- VIII.D.7. TTUHSC: Authorize amendment to agreement to engage a consultant.—The board authorized the president to approve an amendment to a consulting agreement between the TTUHSC School of Medicine and Prestige Consulting Services to develop and formulate the strategic thinking framework for the development of the El Paso Campus Five (5) Year Strategic Plan. The original contract term was February 16, 2004 to March 31, 2004, was in the amount of \$11,625, and did not require board approval.

The amended contract will expand the scope of work, extend the term to August 31, 2004, and increase the cost to an amount not to exceed \$37,725.

- VIII.E. REPORT OF FINDINGS AND RECOMMENDATIONS FROM LIPMAN HEARNE MARKETING STUDY, WITH A BRIEFING ON PLANNED FUND RAISING ACTIVITIES.—Chairman Black called on Mr. Lindemood, who presented a report on the Lipman Hearne marketing study and planned fund raising activities.

- VIII.F. REPORT ON ORGANIZATIONAL EFFICIENCIES STUDY. – Mr. Brunjes presented a report on an organizational efficiencies study.
- VIII.G. REPORT ON PROCESS FOR REVIEW OF INTELLECTUAL PROPERTY AND TECHNOLOGY TRANSFER POLICIES. – Regent Newby presented a report on the status of the review of intellectual property and technology transfer policies being conducted by both Texas Tech University and Texas Tech University Health Sciences Center.
- VIII.H. REPORT ON HISTORICALLY UNDERUTILIZED BUSINESSES.—Mr. Brunjes and Mr. Ellicott presented a report on historically underutilized businesses, a summary of which is included herewith as Attachment No. 11.
- VIII.I. SCHEDULE FOR BOARD MEETINGS.—Mr. Ben Lock presented the following schedule for future board meetings: August 16-17, 2004, Lubbock; October 21-22, 2004, Lubbock; and December 16-17, 2004, Lubbock.
- VIII.J. THE PRESIDENT’S REPORT, TTU.—Chairman Black called on President Whitmore, who presented the President’s Report, included herewith as Attachment No. 12.
- VIII.K. THE PRESIDENT’S REPORT, TTUHSC.—Chairman Black called on President Wilson, who presented the President’s Report, included herewith as Attachment No. 13.
- VIII.L. CHANCELLOR’S REPORT.—Chairman Black called on Chancellor Smith, who presented the Chancellor’s Report, included herewith as Attachment No. 14.
- IX. EXECUTIVE SESSION.—At approximately 11:31 a.m., the board recessed and convened into Executive Session as authorized by Chapter 551 of the *Texas Government Code*.
- X. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 3:02 p.m., 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 Committee of the Whole and Meeting of the Board.

X.A. REPORT OF EXECUTIVE SESSION.—Regent Newby reported there were no actions to consider from Executive Session.

X.B. CHAIRMAN'S ANNOUNCEMENTS.—Chairman Black announced that the next Board of Regents meeting will be on August 16-17.

Chairman Black also announced that there will be topping out ceremony this afternoon at 4:00 p.m. for the new Animal and Food Sciences Building and all of the regents have been invited to attend.

XI. ADJOURNMENT.—Regent Miller moved that the meeting be adjourned. The motion was seconded and passed unanimously. Chairman Black adjourned the meeting at approximately 3:04 p.m.

## INDEX OF ATTACHMENTS

Attachment 1	TTUHSC <i>Code of Professional and Academic Conduct</i> , <u>Student Affairs Handbook</u>
Attachment 2	TTU Budget Adjustments for the period January 1, 2004 through March 31, 2004
Attachment 3	TTUSA FY 2005 Operating Budget Summary
Attachment 4	TTU FY 2005 Operating Budget Summary
Attachment 5	TTUHSC FY 2005 Operating Budget Summary
Attachment 6	TTUS Five-Year Capital Projects Plan
Attachment 7	TTU Five-Year Capital Projects Plan
Attachment 8	TTUHSC Five-Year Capital Projects Plan
Attachment 9	TTUS Report on the Office of Facilities Planning and Construction projects
Attachment 10	TTU <i>Code of Student Conduct</i>
Attachment 11	TTUS Report on Historically Underutilized Businesses
Attachment 12	TTU President's Report
Attachment 13	TTUHSC President's Report
Attachment 14	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 May 13-14, 2004.

Ben Lock  
Secretary

Seal