

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
May 12, 2006

Friday, May 12, 2006.—The members of the Board of Regents of the Texas Tech University System convened at 8:36 a.m. on Friday, May 12, 2006, 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 L. Frederick “Rick” Francis, Chairman; Larry K. Anders; F. Scott Dueser; Mark Griffin; Daniel T. Serna; Windy Sitton; Bob L. Stafford and Student Regent Chad Greenfield. Regents C. Robert Black and J. Frank Miller were officially excused from attendance at the meeting.

Also participating at the opening of the meeting were Dr. Donald Haragan, Chancellor, TTUS; Dr. Jon Whitmore, President, TTU; Dr. M. Roy Wilson, President, TTUHSC; 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. Mark Lindemood, Vice Chancellor for Institutional Advancement, TTUS; Dr. William Marcy, Provost, TTU; Dr. Thomas Anderes, Senior Vice President for Administration and Finance, TTU; Mr. Elmo Cavin, Executive Vice President for Finance and Administration, TTUHSC; Dr. Roderick Nairn, Executive Vice President for Academic Affairs, TTUHSC; Dr. Michael Shonrock, Vice President for Student Affairs, TTU; Dr. Dean Smith, Vice President for Research, TTU; Mrs. Kimberly Turner, Managing Director of Internal Audit, TTUS; Mr. Alton Smith, Associate Chief Financial Officer, TTUS; Mr. Ryan Worley, President, Student Government Association, TTU; Ms. Tracilynn Hall, President, Student Government Association, TTUHSC; Mr. Ron Phillips, Chief of Staff, President’s Office, TTU; and Ms. Christina Martinez, Assistant Secretary of the Board of Regents.

- II. CALL TO ORDER; CONVENE INTO OPEN SESSION OF THE BOARD.—
Chairman Francis announced a quorum present and called the meeting to order.
- III. INTRODUCTIONS AND RECOGNITIONS.—Chairman Francis called on Dr. Whitmore who introduced the new officers of the Texas Tech University Student Government Association: Ryan Worley, President; Chris Huff, External Vice

President; Matthew Fowler, Internal Vice President; and Zeb Alexander, Graduate Affairs Vice President.

Dr. Whitmore also introduced two of the Goldwater Scholarship recipients: Hosam Attaya, a junior cell and molecular biology major from Lubbock; and Suzanne McDonald, a sophomore electrical engineering major from Allen. The Barry Goldwater Scholarships are nationally competitive and award up to \$7,500 a year for up to two years for students in math, science and engineering. Three students at Texas Tech University received the Goldwater Scholarship this year.

Dr. Whitmore introduced Dr. Michael Galyean of the Department of Animal and Food Sciences who was recently named as Horn Professor. The Horn Professor is the highest faculty award at Texas Tech University. Dr. Whitmore acknowledged Dr. James Watkins of the Architecture department who was also named as Horn Professor. Dr. Watkins was unable to attend the meeting but is to be introduced to the board at a later date.

Dr. Whitmore introduced recipients of the Million Dollar Research award: Randy Allen, Professor, Department of Biological Sciences; Melanie Barnes, Senior Research Associate, Department of Geosciences; and John Schroeder, Assistant Professor, Department of Atmospheric Sciences. Dr. Whitmore reported that the university now has three teams studying new projects that are being funded with the idea that they will attract large amounts of outside research and help build our research program.

Dr. Whitmore introduced Debra Reed, Professor and Helen DeVitt Jones Chair, in the Department of Nutrition, Hospitality and Retailing, who is co-founder of F.I.T. Tech, a nutrition and fitness program for faculty, staff and students. The program was recently honored as the recipient of the 2006 Nutrition and Physical Activity Best Practices Recognition Program Award by the Texas Department of State Health Services' Nutrition, Physical Activity and Obesity Prevention Program.

Dr. Whitmore introduced James H. Smith, Assistant Professor in Agricultural Education and Communications, who is the new President of the Texas Tech University Faculty Senate for 2006-2007.

Dr. Whitmore introduced Kristy Curry, the new Head Coach for Lady Raider Basketball. Dr. Whitmore noted that Coach Curry is only the fifth head coach of women's basketball at Texas Tech University. Coach Curry has a career record of 179 wins and 51 losses, two Big Ten regular season championships and three Big Ten championships, seven NCAA tournament appearances in a row including the NCAA championship game in 2001.

Dr. Wilson introduced the new Student Government Association officers for the Health Sciences Center: Tracilyn Hall, President; Vinh Nguyen, Vice President of

Communications; Chelsey Slayton, Vice President of Operations, and Srividya Bhadriraji, Vice President of Finance.

Dr. Wilson also introduced Dr. Steven Berk, the new Dean of the School of Medicine. Dr. Berk recently served as the regional dean for the School of Medicine in Amarillo.

IV. OPEN SESSION.—At approximately 8:44 a.m. on Friday, May 12, 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.

IV.A. APPROVAL OF MINUTES.—Regent Francis asked for approval of the minutes of the board meeting held on February 24, 2006. Regent Griffin moved for their approval. Regent Serna seconded the motion, and the motion passed unanimously.

IV.B. COMMITTEE OF THE WHOLE

Chairman Francis announced that, for the purpose of facilitating action on the items to be considered, Regent Sitton would preside over the Committee of the Whole.

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

IV.B.1.a. TTU: Approve conferral of degrees for May 13, 2006 and August 12, 2006 commencements.—The board approved conferral of degrees for the May 13, 2006 and August 12, 2006 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 13, 2006 and August 12, 2006. This request was approved administratively by the president and the chancellor.

IV.B.1.b. TTU: Approve leave of absence.—The board approved a leave of absence, as approved administratively by the president and the chancellor, for So-Hyun Joo, associate professor, Department of Applied and Professional Studies, College of Human Sciences, for the period August 15, 2006 through May 31, 2007. The purpose of

this leave is personal development. This leave will be taken in Seoul, South Korea.

- IV.B.1.c. TTU: Approve change of name of the Division of Outreach and Extended Studies to the Division of Outreach and Distance Education.—The board approved the name change for the division known as Outreach and Extended Studies to the Division of Outreach and Distance Education, and authorized submission by the Office of the Provost and Senior Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a change. This request was approved administratively by the president and the chancellor.

The proposed name change more closely identifies the programs that are currently supported and offered. Even though the K-12 and college distance education programs may be considered outreach programs, the general public and Texas Tech students typically consider the offerings to be distance education. This division also serves as the primary point of contact for distance education at the University, in addition to providing administrative and marketing support.

- IV.B.1.d. TTU: Approve change of department name in the College of Engineering.—The board approved the change in the name of the Department of Civil Engineering to the Department of Civil and Environmental Engineering and authorized submission by the Office of the Provost and Senior Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a change. This request was approved administratively by the president and the chancellor.

The name change to Civil and Environmental Engineering will allow the environmental engineering component of the Texas Tech program more visibility. It will also align the name of the Texas Tech program with that of the majority of similar programs in the nation. This change is in name only, there are no curriculum changes. No additional expenses will be incurred by this change.

- IV.B.1.e. TTU: Approve name change of degree program in the College of Human Sciences.—The board approved a change in the name of the degree program currently listed as Food and Nutrition in the College of Human Sciences to that of Nutritional Sciences and authorized submission by the Office of the Provost and Senior Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a change. The

request was approved administratively by the president and the chancellor.

The Food and Nutrition faculty members have recently completed a thorough curriculum analysis and have refocused their emphasis. They decided that their strength was not in the food area but in the nutrition area. Food courses have been moved from the Food and Nutrition program area to the Restaurant, Hotel and Institutional Management program area. This change makes the nutrition curriculum listing more relevant to nutrition issues and more appropriate to perceived student needs and wants.

- IV.B.1.f. TTUHSC: Approve conferral of degrees for May 20, 2006 commencement.—The board approved the conferral of degrees for the May 20, 2006 commencement 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 the Texas Tech University Health Sciences Center as having met all degree requirements of the degree as indicated by the official printed commencement programs of May 20, 2006. The request was approved administratively by the president and the chancellor.
- IV.B.1.g. TTU: Approve revisions to the *Code of Student Conduct of Texas Tech University*, effective August 1, 2006.—The board approved revisions to the *Code of Student Conduct* for Texas Tech University, which are primarily editorial changes, as amended, effective August 1, 2006, included herewith as Attachment No. 1. The request was approved administratively by the president and the chancellor.
- IV.B.1.h. TTUHSC: Approve revisions to the *Code of Professional and Academic Conduct of the Student Affairs Handbook*, effective August 1, 2006.—The board approved the revisions to the *Code of Professional and Academic Conduct of the Student Affairs Handbook 2005-2006* for Texas Tech University Health Sciences Center as amended, effective August 1, 2006, included herewith as Attachment No. 2. The request was approved administratively by the president and the chancellor.
- IV.B.1.i. TTU: Approve lease of machinery by the Division of Outreach and Extended Studies.—The board approved a lease of machinery (Docucolor 250 Color Printer) between the TTU Division of Outreach and Extended Studies (“OES”) and the Xerox Corporation in order to allow for quick turnaround of distance learning marketing pieces at a reduced cost. The lease is for five years, therefore board approval is

necessary. The request was approved administratively by the president and the chancellor.

During fiscal year 2005, approximately 300,000 color prints were made with the current machinery. Printing in-house rather than outsourcing these items has saved OES an excess of \$83,000.

TTU OES will benefit from extending the lease to five years from the standard four years by paying \$9,780 less over the term of the lease (48 months \$74,364 – monthly cost \$1,549; 60 months \$83,176 – monthly cost \$1,386). This, plus the overall annual savings of \$83,000 noted above, will allow OES to make more effective use of its marketing budget to support OES and other distance learning programs.

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

Michelle M. D’Alesandro, effective April 3, 2006.

IV.B.1.k. TTU: Approve budget adjustment for the period February 1, 2006 through March 31, 2006.—The board approved the following budget adjustment for the period February 1, 2006 through March 31, 2006, as approved administratively by the president and the chancellor.

TEXAS TECH UNIVERSITY – BOARD APPROVAL ITEM
(February 1, 2006 – March 31, 2006)

Activity	Source of Funds		Expense
	Other	Income	
Board Approval Building/Utilities Maintenance - Reimbursable Projects		1,000,000	1,000,000
Increase in revenue and expenditures due to the volume of projects for the summer of 2006.			
Total		1,000,000	1,000,000

IV.B.1.l. TTUHSC: Approve budget adjustment for the period February 1, 2006 through March 31, 2006.—The board approved the following budget adjustment for the period February 1, 2006 through March 31, 2006, as approved administratively by the president and the chancellor.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER – BOARD APPROVAL ITEM
(February 1, 2006 – March 31, 2006)

Activity	Source of Funds		Expense
	Other	Income	
<u>Board Action</u> Medical Practice Income Plan		\$1,915,744	\$1,915,744
Increase budget for contractual income for El Paso Pediatrics from Superior Health Plan.			
Total		\$1,915,744	\$1,915,744

Regent Sitton 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 2006, 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 28, 2006 for fiscal year 2006 (available for review upon request); and
 - (b) TTUHSC: Report dated February 28, 2006 for fiscal year 2006 (available for review upon request).

- (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) University Medical Center, Master Coordinating Agreement; 7/1/05-6/30/06; \$22,000,000.

- (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) Blandon, Pedro Antonio, M.D., Assistant Professor/NTT; Internal Medicine, El Paso; 9/1/06-8/31/07; \$130,000;
 - (b) Cole, Jeanetta, M.D., Assistant Professor/NTT; Family & Community Medicine, Lubbock; 1/1/06-1/1/07; \$140,000;

- (c) Crum, Ralph L., M.D., Associate Professor/NTT; Surgery, Amarillo; 5/1/06-8/31/09; \$250,000;
- (d) DeSalvo, Donald, CRNA; Faculty Associate/NTT; Anesthesiology, El Paso; 3/1/06-8/31/06; \$125,000;
- (e) DeVargas, Cecilia, M.D.; Assistant Professor/NTT; Neuropsychiatry, El Paso; 1/1/06-8/31/06; \$150,000;
- (f) Hall, John Kevin, M.D.; Associate Professor/NTT; Anesthesiology, Lubbock; 7/1/06-8/31/07; \$305,000;
- (g) Hampton, Raymond Moss, M.D.; Associate Professor/NTT & Regional Chair; Ob/Gyn, Odessa; 3/1/06-3/1/07; \$315,000;
- (h) Mittal, Neha, M.D.; Assistant Professor/NTT; Internal Medicine, Lubbock; 5/1/06-8/31/07; \$130,000;
- (i) Mulla, Zuber D., Ph.D.; Associate Professor/TT; Ob/Gyn, El Paso; 5/1/06-8/31/06; \$106,000;
- (j) Ramos-Duran, Juis R., M.D.; Visiting Professor/NTT; Radiology, El Paso; 1/1/06-8/31/06; \$250,000;
- (k) Risko, Timothy M., M.D.; Instructor/NTT; Orthopaedic Surgery, Lubbock; 8/1/07-8/31/10; \$231,000;
- (l) Robinson, Matthew, M.D.; Assistant Professor/NTT; Internal Medicine, Lubbock; 7/15/06-8/31/07; \$140,000;
- (m) Saculo, Gani, CRNA; Faculty Associate/NTT; Anesthesiology, Lubbock; 1/16/06-8/31/06; \$168,000;
- (n) Shukla, Vani, M.D.; Assistant Professor/NTT; Internal Medicine, El Paso; 4/1/06-8/31/06; \$130,000;
- (o) Smith, Matthew, CRNA; Faculty Associate/NTT; Anesthesiology, Lubbock; 1/16/06-8/31/06; \$168,000;
- (p) Subhani, Muhammad, M.D.; Assistant Professor/NTT; Pediatrics, Amarillo; 7/1/06-8/31/08; \$170,000;
- (q) Taylor, Debra N., RN, CRNA; Faculty Associate/NTT; Anesthesiology, Lubbock; 1/16/06-8/31/06; \$168,000;
- (r) Valenzuela, Peter, M.D.; Assistant Professor/NTT; Family Medicine, Odessa; 7/24/06-7/24/07; \$165,000;
- (s) Vizcarra, Rosa, M.D.; Assistant Professor/NTT; Family Medicine, Odessa; 7/17/06-7/17/07; \$145,000; and
- (t) Wood, Regine, M.D.; Assistant Professor/NTT; Internal Medicine, El Paso; 12/1/06-8/31/07; \$140,000.

(4) **TTU: Report on naming of Jones AT&T Stadium: "Notification to the Board of a building name change not requiring Board approval."**

The president has approved the re-naming of Jones SBC Stadium to the "Jones AT&T Stadium" as a result of a change in the corporate sponsor's name. On April 5, 2006, the new name and logo for the football stadium was announced. The existing stadium naming rights agreement (an agreement that was previously approved by the Board of Regents) between Texas Tech University and SBC...now re-named as "AT&T"...provides for such stadium name and logo changes without the need for additional approval by the Board of Regents.

The motion was seconded and passed unanimously.

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

- V. REPORTS OF STANDING COMMITTEES.—At approximately 8:46 a.m., at the direction of Chairman Francis, Standing Committee reports were presented sequentially to the Committee of the Whole.

V.A. REPORT OF THE FACILITIES COMMITTEE

Regent Anders 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.

- V.A.1. TTU: Approve construction of the Mark & Becky Lanier Professional Development Center and exception to Section 08.01.3.d., *Regents' Rules*.—The board authorized the Office of Facilities Planning and Construction (i) to proceed with a project to construct the Mark & Becky Lanier Law Professional Development Center for the School of Law with a project budget of \$13,500,000; (ii) to complete the design and obtain project approval from the Texas Higher Education Coordinating Board; and (iii) accept a Guaranteed Maximum Price proposal from the Construction Manager at Risk.

The project will be funded with \$7,500,000 in Tuition Revenue Bonds and \$6,000,000 in donations. If Tuition Revenue Bonds are not received, the project will be funded with \$6,000,000 in Revenue Finance System repaid with HEAF bonds and \$7,500,000 in donations.

The chancellor also recommended that the Board of Regents approve an exception to Section 08.01.3.d., *Regents' Rules*, Building Program, to waive the requirement for Owner's Representative services for this project.

It was further recommended that the board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board finds that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declare its intention, in accordance with the provisions of *Treasury Regulations*, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a new project an aggregate maximum principal amount expected to be \$7,500,000.

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

- V.A.2. TTU: Approve planning budget for the leisure pool.—The board authorized the Office of Facilities Planning and Construction to establish a planning budget of \$125,000 funded with Student Affairs Fund Reserves in order to plan, program and begin design of a leisure pool adjacent to the Ewalt Recreation Center and construction of a permanent roof on the Aquatic Center. The expected project budget is \$7.0 million.
- V.A.3. TTUHSC: Re-approve budget for the Messer-Racz International Pain Center.—The board (i) re-approved the Messer-Racz International Pain Center with an increased project budget to \$5,045,000 with the \$795,000 increase funded by Higher Education Assistance Funds, in addition to \$4,250,000 in gifts and donations; and (ii) authorized the Office of Facilities Planning and Construction to obtain re-approval from the Texas Higher Education Coordinating Board.
- V.A.4. TTUHSC: Approve conveyance of land to the University Medical Center.—The board authorized the chancellor to negotiate the conveyance of approximately 0.16 acres of land to the Lubbock County Hospital District, dba the University Medical Center, for the construction of an emergency power generator building.
- V.A.5. TTUSA: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.—The board approved the updated Texas Tech University System Administration Five-Year Capital Projects Plan, included herewith as Attachment No. 3, and authorized the submission of the Texas Tech University System Administration MP1 report to the Texas Higher Education Coordinating Board.
- V.A.6. TTU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.—The board approved the updated Texas Tech University Five-Year Capital Projects Plan, included herewith as Attachment No. 4, and authorized the submission of the Texas Tech University MP1 report to the Texas Higher Education Coordinating Board.
- V.A.7. TTUHSC: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.—The board approved the updated Texas Tech University Health Sciences Center Five-Year Capital Projects Plan, included herewith as Attachment No. 5, and authorized the submission of the Texas Tech University Health Sciences Center MP1 report to the Texas Higher Education Coordinating Board.

V.A.8. TTU and TTUHSC: Report on TRB projects.—The board accepted a report from Mr. Mike Ellicott, Vice Chancellor for Facilities Planning and Construction, TTUS, on Tuition Revenue Bond projects submitted to the Texas Higher Education Coordinating Board (“THECB”). The projects listed below in priority order were submitted to the THECB on April 5, 2006.

<u>TTU</u>		
<u>Project Name</u>	<u>Fund Sources</u>	<u>Total</u>
1. Classroom Modernization Project	\$50.0 M TRB \$35.0 M Donations	\$ 85.0 M
2. Law School Trial Advocacy and Education Center	\$ 7.5 M TRB \$ 6.0 M Donations	\$ 13.5 M
3. College of Engineering Expansion/Renovation	\$50.0 M TRB \$10.0 M HEAF \$10.0 M Donations	\$ 70.0 M
4. New Rawls College of Business Administration	\$25.0 M TRB \$35.0 M Donations	\$ 60.0 M *
5. Renovate Classroom Building	\$25.0 M TRB	<u>\$ 25.0 M *</u>
Total (Less Duplicates *)		\$168.5 M

<u>TTUHSC</u>		
<u>Project Name</u>	<u>Fund Sources</u>	<u>Total</u>
1. El Paso Medical Science Building II	\$95.0 M TRB	\$ 95.0 M
2. Amarillo Research Facility	\$12.0 M TRB \$ 6.1 M HEAF	\$ 18.1 M
3. Lubbock Biomedical Research Facility	\$20.0 M TRB \$10.0 M HEAF	\$ 30.0 M
4. El Paso Medical Science Building I Fit-Out	\$ 7.0 M TRB \$ 1.0 M Fed Grant	\$ 8.0 M
5. School of Pharmacy Expansion (Amarillo)	\$ 8.9 M TRB	\$ 8.9 M
6. School of Pharmacy Expansion (Dallas)	\$ 4.6 M TRB	<u>\$ 4.6 M</u>
Total		\$164.6 M

V.A.9. TTU and TTUHSC: Report on underutilized buildings.—The board accepted a report from Mr. Mike Ellicott, Vice Chancellor for Facilities Planning and Construction, TTUS, on underutilized buildings.

- V.A.9A. TTU: Report on the location of the new Rawls College of Business Administration Building.—The board accepted a report from Dr. Whitmore on the location of the new Rawls College of Business Administration Building.
- V.A.10. TTU: Report on Athletics facility projects—The board accepted a report from Mr. Gerald Myers, Director of Intercollegiate Athletics, TTU, on the Athletics Department facility projects.
- V.A.11. TTU: Report on Office of Facilities Planning and Construction projects.—The board accepted the report on projects of the Office of Facilities Planning and Construction, included herewith as Attachment No. 6.

V.B. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

Committee Chairman Dueser 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.

- V.B.1. TTUSA, TTU and TTUHSC: Approve FY 2007 operating budgets.
 - a. TTUSA: Approve FY 2007 operating budget.—The board approved the Texas Tech University System Administration FY 2007 operating budget, a summary of which is included herewith as Attachment No. 7, 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 2007 operating budget.—The board approved the Texas Tech University FY 2007 operating budget, a summary of which is included herewith as Attachment No. 8, 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 2007 operating budget.—The board approved the Texas Tech University Health Sciences Center FY 2007 operating budget, a summary of which is included herewith as Attachment No. 9, and appropriated the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the board.

- V.B.2. TTU: Authorize agreement to engage a sponsorship and official outfitter for the Texas Tech University football team.—The board authorized the president to negotiate and enter into a five (5) year sponsorship agreement with Under Armour. The term of the proposed agreement begins on June 1, 2006 and terminates on May 31, 2011. The anticipated value is approximately \$4,350,000 in revenue and product allowances over a five-year period.
- V.B.2A. TTU: Approve budget revision for Women's Basketball.—The board approved the budget revision of \$800,000 necessary to accommodate additional, nonrecurring costs incurred with the resignation of the previous Head Women's Basketball Coach and staff and the hiring of a new Head Women's Basketball Coach and staff.
- V.B.3. TTU: Approve consultant agreement to complete master planning process for the Division of Student Affairs.—The board authorized an agreement for the completion of a master planning process for the Division of Student Affairs. The term of the agreement with Brailsford & Dunlavey will begin in May 2006. The cost is \$90,690 plus reimbursable expenses (e.g., reports, travel).
- V.B.4. TTUHSC: Approve FY 2007 premium rates for the Professional Liability Self-Insurance Plan.—The board approved FY 2007 premium rates for the Professional Liability Self-Insurance Plan.

The chancellor, as Administrator of the Professional Medical Self-Insurance Plan (Plan), has reviewed and recommended that the Board of Regents approve the findings and recommendations contained in the March 9, 2006 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, 2006 through August 31, 2007. The recommendations were as follows: (i) premiums be decreased 5 percent for FY07 for the clinical faculty physicians who are members of the academic clinical departments and contribute to the educational mission of the School of Medicine (clinical physicians); (ii) premiums for resident physicians for FY07 are established at the same rate as those for clinical faculty; (iii) premiums for all other physicians insured by the Plan are established as set forth in the annual rate schedule enumerated below; and (iv) premiums be abated for all of FY07 for faculty members of the academic clinical departments who contribute to the educational mission of the School of Medicine.

<u>Annual Premium Rate Schedule</u>			
<u>(September 1, 2006 through August 31, 2007)</u>			
<u>Risk Class</u>	<u>Clinical Physicians</u>	<u>All other Physicians</u>	<u>Resident</u>
1	\$1,812	\$3,372	\$1,812
2	2,304	4,272	2,304
3	5,112	9,468	5,112
4	8,400	15,576	8,400
5	11,700	21,684	11,700

It was further recommended that the chancellor, as Administrator of the Plan, may, if approved by the Board of Regents, authorize a refund as approved by the Plan Administrator to the School of Medicine.

- V.B.5. TTUS: Approve the investment for EnCap Fund VI investments, and Report on Investment Advisory Committee meeting and Short and Intermediate Term Investment Advisory Committee meeting.—The board approved the recommendation of the Investment Advisory Committee that the System invest in EnCap Fund VI. Given the performance of our investments in EnCap Funds IV & V and the credentials of the firm, it is recommended by the Investment Advisory Committee they be considered as alternative asset class managers.

It was further recommended that the committee invest \$20 million in EnCap Energy Capital Fund VI.

The board approved that EnCap Investments L.P. (Fund VI), 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.

- V.B.6. TTUS: Approve primary depository contract by and between Texas Tech University and _____.—The item was deferred for consideration during the Executive Session.

V.C. REPORT OF THE AUDIT COMMITTEE

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

- V.C.1. TTUS: Report on audits.—The board accepted a report on audits, included herewith as Attachment No. 10.

V.C.2. REPORT OF EXECUTIVE SESSION.—Chairman Stafford reported there were no actions to consider from Executive Session.

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

Committee Chairman Sitton reported that the Academic, Clinical and Student Affairs Committee met in open session 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.

V.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:

Arnold H. Loewy, LL.M., new professor and Judge George Killam Chair of Criminal Law, School of Law. Professor Loewy was previously tenured as the Graham Kenan Professor of Law in the School of Law at the University of North Carolina;

Thomas Lumpkin, Ph.D., new professor of the Kent Hance Chair in Entrepreneurship, Area of Management, Rawls College of Business Administration. Dr. Lumpkin was previously tenured as an associate professor of management and entrepreneurship in the Department of Managerial Studies at the University of Illinois at Chicago; and

Walter Smith, Ph.D., new professor and Chair of Curriculum and Instruction, College of Education. Dr. Smith was previously tenured as a professor in the Department of Biology at Ball State University in Muncie, Indiana.

V.D.2. TTU: Approve emeritus appointment.—The board approved the granting of emeritus status to Ms. Marsha Sharp, Head Coach, Women's Basketball (24 years).

V.D.3. TTU: Approve a Bachelor of Science degree in Community, Family, and Addiction Services in the College of Human Sciences.—The board approved a new degree program for a Bachelor of Science in Community, Family, and Addiction Services in the College of Human Sciences and authorized submission by the Office of the Provost and Senior Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a program.

- V.D.4. TTUHSC: Approve the addition of the Doctorate of Nursing Practice to the TTUHSC Table of Programs.—The board (i) approved the Doctorate of Nursing Practice degree to be awarded through the School of Nursing and (ii) authorized the Office of the President, Texas Tech University Health Sciences Center, to cause a proposal to be submitted to the Texas Higher Education Coordinating Board seeking approval for this degree authority.
- V.D.5. TTUHSC: Report on research programs and initiatives.—The board accepted a report by Dr. Rod Nairn, Vice President for Academic Affairs, TTUHSC, on the research programs and initiatives of the Health Sciences Center, included herewith as Attachment No. 11.
- VI. OPEN SESSION.—At approximately 8:51 a.m. the board continued in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider items as the Committee of the Whole and Meeting of the Board.
- VI.A. REPORT ON *REGENTS' RULES* REVIEW COMMITTEE MATTERS—The report was deferred.
- VI.B. REPORT ON HISTORICALLY UNDERUTILIZED BUSINESSES.—Mr. Brunjes presented a report on historically underutilized businesses, a summary of which is included herewith as Attachment No. 12.
- VI.C. SCHEDULE FOR BOARD MEETINGS.—Mr. Lock presented the following schedule for future board meetings: August 10, 2006, Strategic Planning Meeting, Lubbock; August 11, 2006, Lubbock; October 26-27, 2006, Lubbock; and December 14-15, 2006, Lubbock.
- Board meeting dates for calendar year 2007 were approved as follows: March 29-30, 2007, Lubbock; May 10-11, 2007, Lubbock; August 9-10, 2007, Lubbock; October 11-12, 2007, Lubbock; and December 13-14, 2007, Lubbock.
- VI.D. THE PRESIDENT'S REPORT, TTU.—Chairman Francis called on President Whitmore, who presented the President's Report, included herewith as Attachment No. 13.
- VI.D.1. REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTU.—Chairman Francis called on Mr. Ryan Worley, president, Student Government Association, TTU, who presented a report from the Student Government Association.
- VI.E. THE PRESIDENT'S REPORT, TTUHSC.—Chairman Francis called on President Wilson, who presented the President's Report, included herewith as Attachment No. 14.

- VI.E.1. REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTUHSC.—Chairman Francis called on Ms. Tracilyn Hall, president, Student Government Association, TTUHSC, who presented a report from the Student Government Association.
- VI.F. CHANCELLOR’S REPORT.—Chairman Francis called on Chancellor Haragan, who presented the Chancellor’s Report, included herewith as Attachment No. 15.
- VII. EXECUTIVE SESSION.—At approximately 9:16 a.m., the board recessed and convened into Executive Session as authorized by Chapter 551 of the *Texas Government Code*.
- VIII. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 10:09 a.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.
- VIII.A. REPORT OF EXECUTIVE SESSION.—Chairman Francis called on Regent Dueser to present motions regarding items discussed in Executive Session.
- Regent Dueser moved that the board authorize the chancellor to conclude the negotiations and enter into a three-year agreement with Plains National Bank as the primary bank depository as discussed in the Executive Session. The motion was seconded, and passed unanimously with Regents Griffin and Sitton abstaining.
- VIII.B. CHAIRMAN’S ANNOUNCEMENTS.—There were no announcements.
- IX. ADJOURNMENT.—Chairman Francis moved that the meeting be adjourned. The motion was seconded and passed unanimously. The meeting adjourned at approximately 10:10 a.m.

INDEX OF ATTACHMENTS

Attachment 1	TTU Revisions to the <i>Code of Student Conduct</i>
Attachment 2	TTUHSC Revisions to the <i>Code of Student Conduct</i>
Attachment 3	TTUSA Five-Year Capital Projects Plan
Attachment 4	TTU Five-Year Capital Projects Plan
Attachment 5	TTUHSC Five-Year Capital Projects Plan
Attachment 6	TTU Report on Office of Facilities Planning and Construction Projects
Attachment 7	TTUSA FY 2007 Operating Budget
Attachment 8	TTU FY 2007 Operating Budget
Attachment 9	TTUHSC FY 2007 Operating Budget
Attachment 10	TTUS Report on Audits
Attachment 11	TTUHSC Report on Research Programs and Initiatives
Attachment 12	TTUS Report on Historically Underutilized Businesses
Attachment 13	TTU President's Report
Attachment 14	TTUHSC President's Report
Attachment 15	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 12, 2006.

Ben Lock
Secretary

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