

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
May 10-11, 2007

Thursday, May 10, 2007.—The members of the Board of Regents of the Texas Tech University System convened at 3:30 p.m. on Thursday, May 10, 2007, 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; J. Frank Miller, Vice Chairman; Larry K. Anders; C. Robert Black; F. Scott Dueser; Mark Griffin; Daniel T. Serna; Windy Sitton; and Bob L. Stafford; and Student-regent, Ebtasam Attaya Islam.

Also participating at the opening of the meeting were Mr. Kent Hance, Chancellor, TTUS; Dr. Jon Whitmore, President, TTU; Dr. Bernhard T. Mittermeyer, President, TTUHSC; Mr. Jim Brunjes, Chief Financial Officer, TTUS; Mr. Ben Lock, Executive Assistant to the Chancellor and Secretary of the Board of Regents, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Mr. Jodey Arrington, Chief of Staff, 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. Michael Shonrock, Vice President for Student Affairs, TTU; Dr. Dean Smith, Vice President for Research, TTU; Mrs. Kimberly Turner, Chief Audit Executive, Audit Services, TTUS; Mr. Alton Smith, Associate Chief Financial Officer, TTUS; Mr. Ron Phillips, Chief of Staff, President’s Office, TTU; and Ms. Christina Martinez, Assistant Secretary of the Board of Regents, TTUS.

- II. CALL TO ORDER; CONVENE INTO OPEN SESSION OF THE BOARD.—
Chairman Francis announced a quorum present and called the meeting to order.
- III. EXECUTIVE SESSION.—At approximately 3:31 p.m., the board recessed and convened into Executive Session as authorized by Chapter 551 of the *Texas Government Code*.
- IV. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 5:01 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.

IV.A. REPORT OF EXECUTIVE SESSION.—Chairman Francis stated that any action on items from Executive Session would be deferred until Friday, May 11, 2007.

V. RECESS.— Chairman Francis announced that the Meeting of the Board was recessed and would reconvene at 8:30 a.m. on Friday, May 11, 2007. The meeting recessed at approximately 5:01 p.m.

Friday, May 11, 2007.—The members of the Board of Regents of the Texas Tech University System reconvened at 8:33 a.m. on Friday, May 11, 2007, 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; J. Frank Miller, Vice Chairman; Larry K. Anders; C. Robert Black; F. Scott Dueser; Mark Griffin; Daniel T. Serna; Windy Sitton; and Bob L. Stafford; and Student-regent, Ebtesam Attaya Islam.

Also participating at the opening of the meeting were Mr. Kent Hance, Chancellor, TTUS; Dr. Jon Whitmore, President, TTU; Dr. Bernhard T. Mitemeyer, President, TTUHSC; Mr. Jim Brunjes, Chief Financial Officer, TTUS; Mr. Ben Lock, Executive Assistant to the Chancellor and Secretary of the Board of Regents, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Mr. Jodey Arrington, Chief of Staff, 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. Dean Smith, Vice President for Research, TTU; Mrs. Kimberly Turner, Chief Audit Executive, Audit Services, TTUS; Mr. Alton Smith, Associate Chief Financial Officer, TTUS; Dr. Alexia Green, Dean, School of Nursing, TTUHSC; Dr. Paul Brooke, Dean, School of Allied Health Sciences, TTUHSC; Mr. Mason Moses, President, Student Government Association, TTU; Ms. Erin Anderson, 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, TTUS.

VI. CALL TO ORDER; RECONVENE INTO OPEN SESSION OF THE BOARD.— Chairman Francis announced a quorum present and called the meeting to order.

VII. INTRODUCTIONS AND RECOGNITIONS.—Mr. Hance stated that he wanted to introduce his Chief of Staff. He was out last time due to an illness. Most of the Board has met him. Jodey Arrington is originally from Plainview, Texas. He has

a bachelors from Texas Tech and a masters in public administration from Texas Tech as well. He worked for Governor Bush in the Governor's Office and then went to the White House and was deputy director of personnel in the White House in charge of all appointments. He went from there as chief of staff with the FDIC and then went on to the Hurricane Katrina recovery. He stays quite busy and has been working with many individuals throughout both campuses—TTU and HSC—on our Enrollment Task Force. He had done a great job with that.

Dr. Whitmore stated that there were several faculty and students to be introduced to the Board.

Two students have been awarded the nationally competitive Barry M. Goldwater scholarship. There are 317 Goldwater scholars for 2007-2008. They are selected on the basis of academic merit and participation. There was a pool of 1,110 that were nominated. Just to be nominated is an honor but to be selected out of that group is very amazing. The Goldwater Scholarship covers cost of tuition and fees up to \$7,500 for up to two years for students pursuing courses studying in mathematics, science or engineering. The first recipient is Nicholas Bergfeld. He is a sophomore double majoring in biochemistry and psychology. He is from Lubbock. He is currently conducting research in Dr. Joe Brolicks laboratory as a research scholar with the Howard Hughes Medical Institute. Nicholas plans to pursue a Ph.D. in neuroscience with the eventual goal of leading a research group in the field of biological psychogen. We are very proud of Nicholas. The second recipient is Kevin McBride. Kevin is a sophomore chemical engineering major from Bridgeport, Texas. He conducts research with Dr. Brandon Weeks. He is planning to pursue a Ph.D. in either chemical engineering or physics. Kevin's professional goal includes research and fabrication of sensors that will detect and destroy potentially environmentally hazardous nanoparticles. Both of these young men are members of the Honors College and they join 28 previous Goldwater scholars from TTU. They are carrying on a very strong tradition at the University.

Next to introduce are three Horn Professors that the Board approved at their last meeting. Only one could be present but each will be recognized. Eileen Johnson is a professor of Museum Science; curator of Anthropology at the Museum; and director of the Lubbock Lake Landmark. The other two Horn Professors are William Casto from the School of Law and David Ness from Biochemistry. The Horn Professorship was established in 1966 and was named after the very first president of TTU. There have been 69 members in the history of this professorship. Presently, there are 30 who are actively full-time faculty at the University. Professor Casto is attending the American Law Institute and Professor Ness is lecturing in Italy. We are very happy to have Professor Johnson in attendance today.

This is the time of year when student government changes. We have a new set of student government leaders. Mason Moses is the president. He is a communications studies major from Dallas. Suzette Matthews is the internal vice president. She is an education and psychology major from Perryton. Taylor Hutcherson is the external vice president. He is a business administration major from Lubbock. Scott Gorenc is the graduate vice president. He is a masters student in architecture and is also working towards an MBA degree. He is from Bolling AFB.

Lastly, there is a new president of the faculty senate although he is really not a new president because he served two years ago in that role and is now returned and has been re-elected to that job. Professor Gene Wilde is the president of the faculty senate for a second time.

Those are the individuals for introduction today. These are exciting times—the end of one academic year and the beginning of a new one. About 15 to 20 award ceremonies have been held over the past several weeks as most of our honors and students groups have end of year awards ceremonies. We have an outstanding group of students and these award ceremonies point out the real high achievers.

Dr. Mitemeyer began by introducing recipients of the Dean's Awards. There are two students to recognize from the School of Allied Health. There are also two students from the School of Nursing and one from the School of Pharmacy. There are also three candidates from the School of Medicine who cannot be introduced today because the names are still secret. The Golden Cane recipients will be announced at the convocation which will be held next Saturday.

Jennifer Elmhurst is a graduate student in the School of Allied Health. She is a master of occupational therapy student. She is Phi Theta Epsilon Honors Society, Alpha Eta Honors Society and an honored member of the National Dean's List for the years 2003 to 2006. She is a past recipient of the School of Allied Health's endowed scholarship, as a co-researcher for a student entitled, Elementary Student's Prospectives on Their Experiences on Social Adjustments of the Classroom. She also serves as vice president of the Alpha Epsilon chapter of the Phi Theta Epsilon sorority. Community service activities include Habitat for Humanity, the Buckner's Children's Home and the Children's Home of Lubbock. We are very proud of Jennifer.

The next recipient and the School of Allied Health's Dean's Award is a graduate student, Ashley Varnell. Ashley has a bachelor of science and speech language and hearing degree. She is a member of the Golden Key Honor society, Alpha Eta and the Mortar Board. She served as a member of the Chancellor's Ambassadors, the Tech Homecoming Association Board for the past three years serving as a member of the Entertainment Committee and as co-chair of the Merchandise Committee, and the Texas Memorial Committee. She also is a

member of the TTUHSC chapter of the National Students Speech Language Hearing Association and is the only undergraduate who is a member of that group's executive board. Congratulations go to Ashley.

In the School of Nursing, the Dean's Award goes to Rachel Pelking. Rachel has a bachelor of science in nursing degree. She is a member of the officers of the Texas Nurses Students Association. She has helped organize a career fair for her fellow senior students that involved health care organizations from across the State of Texas. She is most proud of being part of the annual medical mission trip to Juarez, Mexico, sponsored each year by the Christian Medical/Dental Association and the Nursing Christian Fellowship. Rachel was also awarded the Sigma Theta Tau Who's Who among students in American Universities and Colleges and most of all the Excellence in Nursing Award. She accepted the position as the ICU at Brackenridge Hospital in Austin.

The next Nursing School recipient is receiving the American State Bank Graduating Nursing Student Scholarship. Her name is Carmen Vila. Carmen has a degree in the masters of science and nursing with a focus on nursing education. This award is based on her academic achievement and her dedication to the nursing profession. She serves as president of the Covenant Alumni Association and the area Health Education Center Advisory Council. She also serves as a member of the Wayland Baptist University Advisory Council and has been nominated as Hispano of the Year and has been awarded the Service Award from her peers as recognition for the care she gives to her patients. In the future she would like to join faculty at the Nursing School to teach and prepare future nursing. We would love to have her.

The Pharmacy Award is given to Raelene Trudeau. She has a degree in doctoral of pharmacy. She is from Plainview, Texas. Raelene has been involved with the Texas Tech Student Society of Health System Pharmacists, student senate, and the Phi Lambda Sigma and the Rho Chi sororities. She will be completing a pharmacial therapy residency at the Barnes Jewish Hospital in St. Louis, Missouri. Raelene will be missed.

It is exciting to have so many outstanding students, and we are looking forward to another big batch coming in.

The new HSC student government officers were introduced. We will miss Tracilyn. She has been with us for an entire year. We are excited to see her go to El Paso where she will make a major contribution as a third year student. Replacing Tracilyn is Erin Anderson. Erin's hometown is El Paso, Texas. Erin is in the School of Medicine. She will be starting her second year after this summer. We have three vice presidents. One for communications is Shannon Boyd. Shannon is from Paris, Texas. He is an Allied Health Sciences student with physical therapy being his major. He will be in his second year as well. The

vice president for operations is Meredith Minyard. Meredith is a School of Nursing Student. She is a senior. Her hometown is Fort Worth, Texas. Finally, the vice president for finance is Jon Nathan. Jon is from Dallas, Texas. He is a second year student in the School of Medicine.

VIII. OPEN SESSION.—At approximately 8:49 a.m. on Friday, May 11, the board continued meeting in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider items as a board and in the Committee of the Whole.

VIII.A. APPROVAL OF MINUTES.—Regent Francis asked for approval of the minutes of the board meeting held on March 30, 2007. Regent Black moved for their approval. Regent Griffin seconded the motion, and the motion passed unanimously.

VIII.B. COMMITTEE OF THE WHOLE

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

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

VIII.B.1.a. TTU: Approve leaves of absence.—The board approved the leave of absence as approved administratively by the president and the chancellor.

Leave without pay for Andreas Schneider, associate professor, Department of Sociology, Anthropology and Social Work, College of Arts and Sciences, for the period August 15, 2007 through January 15, 2008. The purpose of this leave is to work on a new book project. This leave will be taken in Paris, France; and

Leave without pay for Dolly Wilson, assistant professor, Department of History, College of Arts and Sciences, for the period August 15, 2007 through January 15, 2008. The purpose of this leave is to finalize a manuscript for publication. This leave will be taken in Lubbock, Texas and New York, New York.

VIII.B.1.b. TTU: Approve conferral of degrees for May 11-12, 2007 commencements.—The board approved to confer degrees for the May 11-12, 2007 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 11, 2007 and May 12, 2007. This request was approved administratively by the president and the chancellor.

VIII.B.1.c. TTU: Approve revisions to the *Code of Student Conduct of Texas Tech University to be effective May 14, 2007.*—The board approved the revisions to the *Code of Student Conduct* for Texas Tech University which are primarily editorial changes to Section A through Section H as amended and included herewith as Attachment No. 1, to be effective May 14, 2007. This request was approved administratively by the president and the chancellor.

VIII.B.1.d. TTUHSC: Approve revisions to the *Code of Professional and Academic Conduct of the Student Affairs Handbook to be effective August 1, 2007.*—The board approved the revisions to the *Code of Professional and Academic Conduct of the Student Affairs Handbook 2007-2008* for Texas Tech University Health Sciences Center as amended and noted in the Executive Summary to be effective August 1, 2007. The Executive Summary and revised handbook are included herewith as Attachment No. 2. This request was approved administratively by the president and the chancellor.

VIII.B.1.e. TTUHSC: Approve leave of absence.—The board approved the following leave of absence. This request was approved administratively by the president and the chancellor.

Leave with pay for Jose Manuel de la Rosa, M.D., professor of Pediatrics. Dr. de la Rosa is taking a one-year academic sabbatical beginning August 1, 2007 through May 31, 2008. During this time, Dr. de la Rosa will be performing a Leadership Fellowship through the American

Council on Education (ACE Fellowship Program).

Dr. de la Rosa will be on a full six-month Faculty Development Leave (full salary) for the months of September 2007 through February 2008. He will utilize accrued vacation time for the months of August 2007 and March, April, and May 2008. His salary is budgeted through the El Paso campus

VIII.B.1.f. TTUHSC: Approve conferral of degrees for May 19, 2007 commencement.—The board approved to confer degrees for the May 19, 2007 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 (“TTUHSC”) as having met all degree requirements of the degree as indicated by the official printed commencement programs of May 19, 2007. This request was approved administratively by the president and the chancellor.

VIII.B.1.g. TTU: Approve budget adjustments for the period March 1, 2007 through April 30, 2007.—The board approved budget adjustments for the period March 1, 2007 through April 30, 2007. This request was approved administratively by the president and the chancellor.

TEXAS TECH UNIVERSITY – BOARD APPROVAL ITEM
(March 1, 2007 – April 30, 2007)

Activity	Source of Funds		Expense
	Other	Income	
Board Approval Student Disability Services	324,445		324,445
In order to help more students, departmental space needs to be remodeled and laboratory equipment has to be upgraded. This request will be funded from the account's fund balance			
Building/Utilities Maintenance - Reimbursable Projects		1,000,000	1,000,000
Account needs to increase its spending authority on maintenance and operation in order to meet the maintenance demands for the rest of the year. The increase in expenses will be matched by a corresponding increase in revenue.			
Total	324,445	1,000,000	1,324,445

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

Augustine Martinez, effective March 27, 2007; and

Scott Wollery, effective March 27, 2007.

VIII.B.1.i. TTU: Approve FY 2008 holiday schedule.—The board approved the FY 2008 holiday schedule for Texas Tech University (“TTU”), included herewith as Attachment No. 3. This request was approved administratively by the president and the chancellor.

VIII.B.1.j. TTUHSC: Approve FY 2008 holiday schedule.—The board approved the FY 2008 holiday schedule for Texas Tech University Health Sciences Center (“TTUHSC”), included herewith as Attachment No. 4. This request was approved administratively by the president and the chancellor.

VIII.B.1.k. TTUSA: Approve FY 2008 holiday schedule.—The board approved the FY 2008 holiday schedule for the Texas Tech University System Administration (“TTUSA”), included herewith as Attachment No. 5. This request was approved administratively by the president and the chancellor.

VIII.B.1.l. TTUHSC: Approve conveyance of real property.—The board authorized the president to convey to the City of Amarillo 0.9182 acres of land received by Texas Tech University Health Sciences Center (“TTUHSC”) from the Billye McDowell Brown Charitable Remainder Unitrust (“Brown Trust”). The conveyance will be by Quitclaim Deed. This request was approved administratively by the president and the chancellor.

Regent Miller 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 2007, 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, 2007 for fiscal year 2007 (available for review upon request); and
 - (b) TTUHSC: Report dated February 28, 2007 for fiscal year 2007 (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; Amendment to increase Ob/Gyn resident budget by \$24,000 (total amount \$22,524,000); 7/1/06-6/30/07.
 - (b) R.E. Thomason General Hospital; Medical Services Agreement to expand physician cardiology services by \$810,000 (total amount \$21,668,000); 9/1/05-8/31/08.
 - (c) Texas Department of State Health Services; Renewal of agreement for Women, Infant, and Children Program; 10/1/06-9/30/2007; \$1,939,164.

- (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) Alfirii, Alina R., M.D., Assistant Professor/NTT; Internal Medicine, Permian Basin; 6/1/07-8/31/10; \$185,000;
 - (b) Bello-Reuss, Elsa, M.D., Professor/TT; Internal Medicine, Lubbock; 4/2/07-8/31/08; \$195,000;
 - (c) Bergeson, Susan E., Ph.D., Professor/TT; Pharmacology, Lubbock; 9/1/07-8/31/08; \$110,000;
 - (d) Mulkey, Zachary P., M.D., Instructor/NTT; Internal Medicine, Lubbock; 7/1/07-8/31/08; \$130,000;
 - (e) Onger, Frederick, M.D., Assistant Professor/NTT; Family Medicine, Abilene; 10/1/06-9/1/07; \$181,280;
 - (f) Rodriguez, Sandra, M.D., Instructor/NTT; Internal Medicine, Lubbock; 7/1/07-6/30/08; \$130,000; and
 - (g) Warraich, Irfan A., M.D., Assistant Professor/NTT; Pathology, Lubbock; 8/1/07-8/31/08; \$155,000.

The motion was seconded and passed unanimously.

VIII.B.2. TTU: Approve adoption of a resolution regarding Texas Tech's participation in a State Nanotechnology Laboratory.—Mr. Hance presented the item to adopt the following resolution regarding participation by Texas Tech University in a proposed State Nanotechnology Laboratory:

THE BOARD OF REGENTS IS SUPPORTIVE OF THE ESTABLISHMENT OF A STATE NANOTECHNOLOGY LABORATORY AND THE POSSIBILITY OF TEXAS TECH UNIVERSITY'S PARTICIPATION IN THIS ENDEAVOR.

THEREFORE, THE BOARD AUTHORIZES THE CHANCELLOR TO CONTINUE DISCUSSIONS AND PURSUE THE NEGOTIATIONS REGARDING THE UNIVERSITY'S ROLE, SUBJECT TO THE IDENTIFICATION AND CERTIFICATION OF THE FUNDS REQUIRED AND A SATISFACTORY RESOLUTION OF ALL OUTSTANDING ISSUES REGARDING PARTICIPATION IN THIS PROJECT.

The chancellor provided a briefing to the Board at the March 29-30, 2007 meeting regarding the proposed State Nanotech Lab. There remain a number of issues to be addressed before the University would be able to proceed with a contribution of funds to this project.

Adoption of this resolution would be an affirmation by the Board of its support for continued work by the administration to determine how the University could and should proceed under this proposal.

Final approval of any negotiated agreement would require the approval of the Board due to: (1) the expected dollar amount and financing arrangements for the University's required funding commitment; and (2) the multi-year term anticipated for the agreement.

Opportunity for discussion followed the presentation. Regent Miller moved that the board approve the adoption of a resolution regarding Texas Tech's participation in a State Nanotechnology Laboratory. The motion was seconded and passed unanimously.

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

IX. REPORTS OF STANDING COMMITTEES.—At approximately 8:54 a.m., at the direction of Chairman Francis, Standing Committee reports were presented sequentially to the Committee of the Whole.

IX.A. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

Regent Scott 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.

IX.A.1. TTUHSC: Approve negotiation and execution of a change in the agreement with Midland Memorial Hospital and any other necessary agreements to enable TTUHSC to comply with the General Appropriations Act, 79th Legislature, Regular Session, Article IX, Section 14.55.—The board authorized the president to complete negotiations and to execute a new agreement with Midland Memorial Hospital that changes the previous plan as listed below. The Board of Regents previously approved an agreement with Midland Memorial Hospital to expand the facilities for the Texas Tech University Health Sciences Center (“TTUHSC”) Internal Medicine and Obstetrics/Gynecology programs. A change in the Hospital’s strategic plan has necessitated a change in the facilities agreement. The TTUHSC Midland Expansion Report is included herewith as Attachment No. 6.

1. The purchase of the Allison Cancer Center, an existing three-story, 28,588 square foot building located at 301 North “N” Street, Midland, Texas, at the appraised value of \$2,000,000 for use as an Internal Medicine Clinic and an OB/GYN Clinic;
2. The long term lease of the land occupied by the Cancer Center;
3. The renovation of the building as required including the construction of 6,442 square feet additional new space; and
4. The purchase of required furniture and equipment.

The chancellor further requested authorization to submit this acquisition and renovation project to the Texas Higher Education Coordinating Board (“THECB”) for approval.

IX.A.2. TTUHSC: Approve FY 2008 premium rates for the Medical Self-Insurance Plan.—The board approved the findings and recommendations contained in the March 9, 2007 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, 2007 through August 31, 2008. The chancellor, as administrator of the Medical Self-Insurance Plan (“Plan”), has reviewed the findings and recommended the item for approval. The recommendations are as follows: (i) premiums be decreased 6.35 percent for FY08 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 faculty physicians); (ii) premiums for resident physicians for FY08 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 FY08 for clinical faculty physicians.

Annual Premium Rate Schedule
(September 1, 2007 through August 31, 2008)

<u>Risk Class</u>	<u>Clinical Physicians</u>	<u>Residents</u>	<u>All Other Physicians</u>
1	\$1,697	\$1,697	\$3,372
2	2,160	2,160	4,272
3	4,782	4,782	9,468
4	7,868	7,868	15,576
5	10,953	10,953	21,684

It was further recommended that the chancellor, subject to approval by the Board of Regents, may authorize a refund to the School of Medicine.

IX.B. 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.

IX.B.1. TTUS: Report on audits.—The board accepted a report on audits, included herewith as Attachment No. 7.

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

IX.C. REPORT OF THE FACILITIES COMMITTEE

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

IX.C.1. TTU: Approve campus infrastructure upgrade Phase I.—The board authorized the Office of Facilities Planning and Construction to (i) proceed with the project to upgrade the utility infrastructure on the Texas Tech Campus with a project budget of \$5,000,000; (ii) complete the design, obtain project approval from the Texas Higher Education Coordinating Board; and (iii) award a construction contract. The project will be funded through the Utility Fund Balance and the Revenue Finance System repaid with revenues generated through the sale of manufactured utilities to campus utility customers.

The board further acknowledged that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board found that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System. As such, the board declared 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 \$5,000,000.

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

The TTU Campus Infrastructure Upgrade Phase I PowerPoint is included herewith as Attachment No. 8.

IX.C.1-A. TTUHSC: Re-Approve budget for the Messer-Racz International Pain Center.—The board (i) re-approved the Messer-Racz International Pain Center project with an increased project budget of \$7,000,000, and (ii) authorized the Office of Facilities Planning

and Construction to obtain re-approval from the Texas Higher Education Coordinating Board (“THECB”). The increase of \$1,955,000 will be funded with Higher Education Assistance Funds (“HEAF”). Additionally, \$750,000 of the amount previously approved as gifts and donations will also be funded with HEAF. The revised total project budget will be funded with \$3,500,000 in gifts and donations and \$3,500,000 in HEAF.

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

The TTUHSC Re-Approve Budget for the Messer-Racz International Pain Center PowerPoint is included herewith as Attachment No. 9.

- IX.C.2. TTU: Approve the Five-Year Capital Projects Plan and authorize submission of the MP1 report.—The board approved the updated Texas Tech University (“TTU”) Five-Year Capital Projects Plan and authorized the submission of the TTU MP1 report to the Texas Higher Education Coordinating Board (“THECB”).

The TTU Five-Year Capital Projects is included herewith as Attachment No. 10.

- IX.C.3. 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 (“TTUHSC”) Five-Year Capital Projects Plan and authorized the submission of the TTUHSC MP1 report to the Texas Higher Education Coordinating Board (“THECB”).

The TTUHSC Five-Year Capital Projects Plan is included herewith as Attachment No. 11.

- IX.C.4. 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 (“TTUSA”) Five-Year Capital Projects Plan and authorized the submission of the TTUSA MP1 report to the Texas Higher Education Coordinating Board (“THECB”).

The TTUS Five-Year Capital Projects Plan is included herewith as Attachment No. 12.

IX.C.5. TTUS: 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. 13.

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

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

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

Todd DeVriese, new professor and director for the School of Art, College of Visual and Performing Arts. Professor DeVriese was previously a tenured associate professor and chair of the Department of Art & Design at Zayed University in Dubai, U.A.E.; and

Donald Lie, Ph.D., new associate professor of the Keh-Shew Lu Regent's Chair in the Department of Electrical and Computer Engineering, College of Engineering. Dr. Lie was previously the director of the RFIC Design and Test, Dynamic Research Corp. ("DRC") in San Diego, California as well as a visiting lecturer in the Department of Electrical and Computer Engineering at the University of California in San Diego;

Lianfa Song, Ph.D., new associate professor in the Department of Civil and Environmental Engineering, College of Engineering. Professor Song was previously a tenured associate professor, Deputy Director in the Center for Water Research, Division of Environmental Science and Engineering at the National University of Singapore in the Republic of Singapore; and

Kent Hance, new professor in the School of Law. Mr. Hance earned a bachelor of business administration degree from Texas Tech University in 1965 and graduated from the

University of Texas School of Law in 1968. He previously taught business law at Texas Tech and in 1973, he was named an outstanding professor. Mr. Hance was a member of the Texas Senate, and a Congressman in the 19th congressional district. Before becoming the third chancellor of the Texas Tech University System, Mr. Hance was a partner in the law firm of Hance Scarborough Wright. His firm's primary focus was on state and federal administrative law, regulatory law and legislative law.

IX.D.2 TTU: Approve conferral of an honorary degree.—The board approved the conferral of an honorary degree of Doctor of Humane Letters, Honoris Causa, upon Zsuzsanna (“Susan”) Polgár, at the University commencement ceremony on May 12, 2007.

IX.D.3 TTUHSC: Approve appointment with tenure.—The board approved the granting of tenure to the following individual:

- Craig Spellman, Ph.D., DO, professor of Internal Medicine and newly selected assistant dean for Research for the School of Medicine, Permian Basin campus. Dr. Spellman comes to the TTUHSC as a tenured associate professor of Internal Medicine from the University of North Texas Health Sciences Center, Fort Worth, Texas.

IX.D.4 TTUHSC: Authorization for the president to seek an approval for multiple employment funding.—The board authorized the president to approve the participation of the Texas Tech University Health Sciences Center (“TTUHSC”) in hiring a former employee as the consulting veterinarian until such time as a new institutional veterinarian is hired.

The agreement affords the TTUHSC to continue to utilize the services of its previous institutional veterinarian, who knows the issues, the campus configuration and more importantly the electronic management of the TTUHSC Institutional Animal Care and Use Committee (“IACUC”). The TTUHSC will in turn benefit from this agreement because it will provide some degree of continuity for the animal research program and it is a requirement for the TTUHSC to maintain accreditation of its animal care and use programs in Lubbock and El Paso through the Association for the Accreditation and Advancement of Laboratory Animal Science.

Through the continued interaction of the Consulting Veterinarian with all three of the TTUHSC's Laboratory Animal Resources Centers ("LARC") in Lubbock, El Paso, and Amarillo, the integrity of the program can be maintained. The primary benefits will include:

- Visitation to each LARC once per month to check facilities;
- Required participation in the monthly meeting of the IACUC;
- Availability of veterinary consultation on specific animal health and management issues by specific investigators as needed.

The total contract expenses are to be no more than \$4,000 in consulting fees per month plus travel to the three LARC sites. This agreement becomes effective immediately at the time of the Board's approval and shall continue until December 31, 2007 or until such time as a full-time TTUHSC institutional veterinarian is hired.

IX.D.5 TTU and TTUS: Reports on Enrollment Task Force.—The board accepted an update from the Enrollment Task Force, included herewith as Attachment No. 14 and Attachment No. 15.

- X. OPEN SESSION.—At approximately 8:59 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.
- X.A. TTU and TTUHSC: Report on campus security— Mr. Hance, chancellor, presented a report on campus security, included herewith as Attachment No. 16.
- X.B. TTUSA, TTU and TTUHSC: Report on Historically Underutilized Businesses ("HUB") Expenditures – FY 2007— Mr. Brunjes, vice chancellor and chief financial officer, presented a report on HUB expenditures, included herewith as Attachment No. 17.
- X.C. SCHEDULE FOR BOARD MEETINGS.—Mr. Lock presented the following schedule for future board meetings: August 9-10, 2007, Lubbock; October 11-12, 2007, Lubbock; December 13-14, 2007, Lubbock; March 6-7, 2008, Lubbock; May 8-9, 2008, Lubbock; August 7-8, 2008, Lubbock; October 30-31, 2008, Lubbock; and December 11-12, 2008, Lubbock.
- X.D. THE PRESIDENT'S REPORT, TTU.—Chairman Francis called on President Whitmore, who presented the President's Report, included herewith as Attachment No. 18.

- X.D.1 REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTU.—Chairman Francis called on Mr. Mason Moses, president, Student Government Association, TTU, who presented a report from the Student Government Association included herewith as Attachment No. 19.
- X.E. THE PRESIDENT'S REPORT, TTUHSC.—Chairman Francis called on President Mittermeyer, who presented the President's Report, included herewith as Attachment No. 20.
- X.E.1. REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTUHSC.—Chairman Francis called on Ms. Erin Anderson, president, Student Government Association, TTUHSC, who presented a report from the Student Government Association included herewith as Attachment No. 21.
- X.F. CHANCELLOR'S REPORT.—Chairman Francis called on Chancellor Hance, who presented the Chancellor's Report, included herewith as Attachment No. 22.
- XI. EXECUTIVE SESSION.—The Board did not convene in Executive Session as authorized by Chapter 551 of the *Texas Government Code*.
- XII. OPEN SESSION.—At approximately 10:27 a.m., the board continued in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider items as a Committee of the Whole and Meeting of the Board.
- XII.A. REPORT OF EXECUTIVE SESSION.—Chairman Francis called on Vice Chairman Miller to present motions regarding items discussed in Executive Session.
- XII.A.1. Vice Chairman Miller moved that the board accept the recommendation of the School of Medicine Hearing Committee, dean of the School of Medicine and president of the Health Sciences Center that Dr. Alexander D. Rosenstein's non-reappointment to the faculty of the Health Sciences Center be affirmed and that the decision of the Board be communicated to the president of the Health Sciences Center and dean of the School of Medicine as required by *Regents' Rules* 04.03.
- XII.B. REPORT OF NOMINATING COMMITTEE AND ELECTION OF BOARD OFFICERS.—Chairman Francis called on the Nominating Committee composed of Regents Anders, Serna and Francis to make its report. Regent Anders presented the report of the Nominating Committee to nominate the chair and vice chair of the Board of Regents. The board unanimously approved the committee's recommendation to elect Regent

Frank Miller as chair and Regent Scott Dueser as vice chair of the Board of Regents, each to serve two years effective immediately on this date, May 11, 2007 until the Board has elected their successors.

Regent Francis congratulated the new officers and thanked the Board and administration for the work done with and for him for Texas Tech.

The Board thanked Regent Francis for his hard work, dedication and leadership.

- XII.C. CHAIRMAN'S ANNOUNCEMENTS.—Newly elected Chairman Miller expressed his gratitude to Regent Francis for his service and leadership. Chairman Miller stated he was honored to be elected as Chairman and was committed to moving forward for the betterment of Texas Tech.
- XIII. ADJOURNMENT.—Chairman Miller moved that the meeting be adjourned. The motion was seconded and passed unanimously. The meeting adjourned at approximately 10:45 a.m.

INDEX OF ATTACHMENTS

Attachment 1	TTU, Code of Student Conduct
Attachment 2	TTUHSC Executive Summary of Revisions and TTUHSC Student Affairs Handbook
Attachment 3	TTU Holiday Schedule 2007 – 2008
Attachment 4	TTUHSC Holiday Schedule 2007 – 2008
Attachment 5	TTUS Holiday Schedule 2007 – 2008
Attachment 6	TTUHSC Midland Expansion
Attachment 7	TTUS Prioritized Audit Plan
Attachment 8	TTU Campus Infrastructure Upgrade Phase 1 PowerPoint
Attachment 9	TTUHSC Messer-Racz International Pain Center PowerPoint
Attachment 10	TTU Five-Year Capital Projects Plan
Attachment 11	TTUHSC Five-Year Capital Projects Plan
Attachment 12	TTUS Five-Year Capital Projects Plan
Attachment 13	TTUS Bricks and Mortar Report
Attachment 14	TTU Enrollment Task Force Report
Attachment 15	TTUHSC Enrollment Management Task Force Report
Attachment 16	TTU and TTUHSC Report on Campus Security
Attachment 17	TTUS HUB Report FY 2007
Attachment 18	TTU President's Report
Attachment 19	TTU SGA President's Report
Attachment 20	HSC President's Report
Attachment 21	HSC SGA President's Report
Attachment 22	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 10-11, 2007.



Ben Lock
Secretary

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