

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
August 7, 2009

Friday, August 7, 2009.—The members of the Board of Regents of the Texas Tech University System convened at 8:35 a.m. on Friday, August 7, 2009, in the Matador Room, Second Floor, Room 227, Student Union Building, 15th and Akron Avenues, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

Regents present were Larry K. Anders, Chairman; L. Frederick “Rick” Francis; Mark Griffin; John Huffaker; Mickey L. Long; Kyle Miller, Student Regent; Nancy R. Neal; John Field Scovell; Daniel T. Serna; and Jerry Turner, Vice Chairman.

Also participating at the opening of the meeting were Mr. Kent Hance, Chancellor, TTUS; Dr. Guy Bailey, President, TTU; Dr. Joseph Rallo, President, ASU; Mr. Ben Lock, Executive Assistant to the Chancellor and Secretary of the Board of Regents, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Mr. Jim Brunjes, Vice Chancellor and Chief Financial Officer, TTUS; Mr. Elmo Cavin, Executive Vice President for Finance and Administration, TTUHSC; Ms. Sharon Meyer, Vice President for Finance and Administration, ASU; Mr. Kyle Clark, Assistant CFO, TTUS; Dr. Kelly Overley, Vice Chancellor for Institutional Advancement, TTUS; Mrs. Kim Turner, Chief Audit Executive, TTUS; Dr. Michael Shonrock, Vice President for Student Affairs, TTU; Mr. Jeff Harris, President, SGA, ASU; Ms. Suzanne Williams, President, SGA, TTU; and Mr. Cory Robertson, President, SGA,.

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

Mr. Hance stated that the Vice President for Communications and Chief Marketing Officer Russ Bookbinder was present. Russ has served as COO of the San Antonio Spurs and has a background in communications and marketing. We are very pleased to have him.

Regent Anders added that Mr. Bookbinder is the son-in-law of a very famous football coach, Grant Teaff. Welcome Russ. We are pleased to have you at

Texas Tech.

Dr. Bailey stated that he had about three or four people to introduce: “As most of you know, we have a brand new vice president for research, Dr. Taylor Eighmy. He comes to us from the University of New Hampshire, where he served as the interim vice president for research and research professor of civil engineering. He was the founding director of the University of New Hampshire’s environmental research group. He has headed up an applied environmental engineering and environmental science research center. His research interests include beneficial use of waste materials, life cycles, analysis of waste products and environmental microbiology. He has really hit the ground running. He will come up to tell you about a couple of projects that have started since he came to Tech. You will be able to see the quality of some of his work.”

Dr. Eighmy thanked Dr. Bailey for the introduction. “It is an honor to be here. I want to speak to you briefly this morning. My wife and I were honored to be at the regents’ retirement dinner last night. It was great to recognize the regents who were stepping down. Thank you for the opportunity to be there. Two of the retiring regents, Regent Sitton and Regent Stafford were wonderful ambassadors as I was applying for the position here. They were great in terms of their representation of you and of the institution. Thank you for that.

“Two initiatives that are under way right now: I am working closely with colleagues on campus and with the Chancellor’s Office on an initiative to go get \$10 million from the Emerging Technology Fund to bring five very talented faculty from around the United States in the field of wind energy. Texas Tech has this opportunity to become the energy university and wind energy is going to be a big part of that. We are going to go after these funds to be able to recruit five very talented faculty from around the United States to come here and work at Tech. It is a wonderful time to be out there looking for talented faculty. They all would like to come to Texas right now.

We have been active in our response to the stimulus funding opportunities that are out there. We have at least 42 proposals in play right now. Those are worth about \$50 million. Seven of those have been funded so far to about \$2.5 million. We have only had one denied. That is a batting average that I would take to the bank any day. We will see if that continues, but we will be very aggressive about how we go after these stimulus funds. It has been a pleasure to work with the folks here, all across the campus and in the Chancellor’s Office in going after these opportunities. It is a delight to be here. HB51 is very important, and I look forward to working with all of you. Thank you.”

Dr. Bailey continued, “Taylor has been on the job about five weeks. We have had him working hard. Some other introductions: Dr. Charles Ruch is the new interim dean in the College of Education. He is the president emeritus of the South Dakota School of Mines and Technology in Rapid City, South Dakota.

Before that, he was the president of Boise State University. If you wonder why the football field in Boise State is blue—it is in fact and Chuck was largely responsible for their ascendancy in athletics. I have warned our people at the stadium to watch out for him with red paint. Chuck is doing a wonderful job in the College of Education. He has a Ph.D. from Northwestern and was an education dean and a provost at Virginia Commonwealth. He has done a number of wonderful things for us. We have several accrediting agencies in education and our counseling education was just accredited. Chuck worked hard there. We have NCATE accreditation just about finished. Chuck has been very helpful there. We are very pleased to have someone with his experience and leadership here.

“Our other new interim dean, Jon Strauss, couldn’t make it today. As most of you know, Jon is the president emeritus of Harvey Mudd College in Claremont and Wooster Polytechnic and was the chief financial officer at Southern California before that. I had mentioned our new budget model. John Strauss literally wrote the book on the new budget model. We have very talented administrators coming in. Bob Smith literally wrote the book on being a provost too and his book, *You Stand Where You Sit*, is literally the book that all new provosts read. We are very pleased with the level of administrative talent coming here.

“Last night, we all had a wonderful meal. I have gained about 10 pounds since I’ve come here and the person responsible for that is Rocky Rockwell. Rocky is Texas Tech’s executive chef. If you have not met him, you would certainly enjoy his work. A few things about Rocky: he graduated as valedictorian from the Culinary Institute of America in Hyde Park, New York. He was awarded the Wine Spectator Award for excellence in wine knowledge. He received certification as a certified executive chef from the American Culinary Federation and prior to his employment here, he was the chef at the Four Seasons Hotel in West Palm Beach, Florida. He didn’t realize that we didn’t have an ocean here. It was the climate that got him away from West Palm Beach. We are recognizing Rocky today for his recent awards as South Plains Chef of the Year for 2009. We also understand that he has been nominated for Texas Chef of the year as well. We wish Rocky well in this competition and congratulate him for all of his outstanding work.

“It is also a pleasure to introduce our new president of our Staff Senate, Chris Leisinger. She has been employed by Tech for seven years and is currently associate director for student judicial programs. She is a first generation college student who earned her masters degree in higher education at Texas Tech and is now pursuing her Ph.D. in higher education administration. She has four classes remaining. Congratulations and good luck.

“I have two other special student recognitions that are very important. Heather Morris was appointed by Governor Perry as the student representative of Tech to the Texas Higher Education Coordinating Board effective this June. She is our

only West Texas representative on the THECB. You have a lot of work to do. The Governor appoints one student in Texas to serve for a one-year term. Heather is a graduate student in public administration. She is only the second student in the state and the first student from Texas Tech to serve on the THECB. She earned her bachelors degree at Tech in 2003 and taught high school in Crosbyton before returning to pursue her graduate degree. As an undergraduate at Tech, she earned honors on the president's and dean's list and did study abroad in Florence, Italy. Our English majors can do very well and Heather proves that. Heather, we appreciate your hard work. Congratulations.

"Finally, I want to introduce a person who is going to carry on one of the most important traditions we have and that is the Masked Rider. Brianne Aucutt-Hight is our masked rider for 2009-2010. I have had a chance to know Brianne and meet her family. I am very impressed with her. She is from Clovis, New Mexico and is a senior animal science major with a specialization in production. She is the 48th student to serve as the Masked Rider. This realizes her goal which she set as a child, after her parents attended a Texas Tech football game and brought her an autographed card from the Masked Rider. She has ridden, trained and shown horses everywhere from ranches to rodeos throughout New Mexico and Texas. She also competes on our Ranch Horse Team. We have an excellent Ranch Horse Team. She served on the 2008-2009 Masked Rider Field Safety Team and she holds two rodeo queen titles, the Pioneer Days Rodeo Queen and the Eastern New Mexico State Fair Queen. As the Masked Rider, she will promote Texas Tech's spirit and goodwill at athletic events all over the state in parades, rodeos and many other events and civic functions. By the way, she was in San Angelo last night for the Colts minor league baseball game and she ran the horse five times and the horse loved it. Brianne got in at 3 am this morning. Thank you so much for your work."

Dr. Rolfe began the Health Sciences Center introductions: "Thank you Mr. Chairman. I appreciate the opportunity to introduce five of our outstanding faculty at the Health Sciences Center.

"Dr. Quentin Smith is a professor and chair of the Pharmaceutical Sciences Department and as was voted upon by the Board of Regents yesterday, Dr. Smith is our sixth Grover E. Murray Professor. The Grover E. Murray Professorship is intended for a faculty member who attains national and/or international distinction for outstanding research, scholarly and creative achievement. Dr. Smith exemplifies all of these criteria. As mentioned yesterday, the Grover E. Murray Professorship is the highest honor that the HSC can bestow upon one of our faculty members. Dr. Smith has been a member of the School of Pharmacy faculty since 1997. Before being recruited to Texas Tech, he held several positions at the National Institute of Aging of the NIH; he is a holder of several prestigious awards and appointments to local and national positions of honor; he is recognized internationally as a leading expert in cerebral vascular biology with a specialization of drug delivery strategies for complex

drugs and molecules across the human blood brain barrier. He has been extremely productive in publishing the results of his scientific work. Dr. Smith had directed 23 Ph.D. students and 15 post doctoral fellows during his tenure at both the NIH and the School of Pharmacy. He is recognized by students, co-faculty and administrators as one of the most effective instructors in the School of Pharmacy. In fact, the class of 2003 voted him the most influential professor for students throughout their academic career. Dr. Smith was selected as the University Distinguished Professor in 2007. Dr. Smith's wife is Dr. Helen Thorsheim. We all know that whatever we accomplish is often times so important to our spouse as well. Congratulations, Dr. Smith.

"The next faculty member I'd like to introduce is Dr. Jongyeol Kim who started on July 1. He was recruited by Dr. DeToledo from the Department of Neurology at Wake Forrest University School of Medicine. He earned his medical and masters of science degrees at Kyungpook National University in Taegu, South Korea. In July of 2002, he received a fellowship at Wake Forrest in neurology and neurosonology and made his way from fellow to assistant professor. He was a member of the stroke team at that institution. Dr. Kim is the stroke service chief for the School of Medicine, treating patients of both the University Medical Center as well as the Covenant Hospital in Lubbock. He will also teach future residents in neurology. His research will continue to be in the area of strokes, cerebral vascular disease, and neurosonology. He also maintains a role in clinical stroke prevention and treatment trials. Dr. Kim is a highly productive researcher on a non-invasive neurological diagnostics. He is co-PI on three NIH grants and one Novartis Pharmaceuticals grant. He is the PI of a Bristol-Meyers-Squibb grant. Dr. Kim, welcome.

"Dr. George Henderson recently joined the TTUHSC. He came here from the University of Texas at San Antonio. He is a professor in the Department of Pharmacology and Neurosciences in the School of Medicine. He earned his Ph.D. in pharmacology from Vanderbilt University. Dr. Henderson is an expert in alcohol, environmental toxins, apoptosis and oxidative stress induced damage in brain development. The primary objective of his research is to gain a better understanding of how alcohol and pesticides affect a developing brain and uses that knowledge to protect the fetal brain from damages attributable to them. His work has been continuously funded by the NIH over two decades and he is the current recipient of three ROI awards. He has been awarded the prestigious Research Scientific Development Award by the NIH. Dr. Henderson and his group of researchers will work closely with faculty from both TTU and TTUHSC and the South Plains Alcohol and Addiction Research Center—the SPAAR Center.

"Dr. Luis Cuello joined TTUHSC Department of Cell Physiology and Molecular Biophysics as an assistant professor on July 1. He has an MS and Ph.D. degrees from the University of Virginia and extensive post doctoral training in the U.S. which cumulated at the University of Chicago. Dr. Cuello's training and

accomplishments in the field of molecular biology, structural biology and biophysics of ion channels in excitable cells, make him an excellent addition to our faculty. He is one of a handful of young investigators who have mastered membrane protein crystallization in structural analysis methods, as well as measurement of molecular distances in amino acid environment by electron paramagnetic resonance spectroscopy. You can imagine that is a very small field. In addition to his appointment as an assistant professor, he is also a member of the Center for Membrane Protein Research at the HSC. Dr. Cuello who is experienced in the training of graduate students and technicians, will contribute to our teaching missions both in the School of Medicine as well as the Graduate School of Biomedical Sciences.

“The last faculty member to introduce is Dr. Bryan Sutton. He joined the HSC from UTMB on May 1st as an associate professor in the Department of Cell Physiology and Molecular Biophysics. He is a main crystallographer for the Center of Membrane Protein Research in the Graduate School of Biomedical Sciences. Dr. Sutton has a Ph.D. in biochemistry from the University of Texas Southwestern Medical Center and extensive postdoctoral training at Yale as well as Stanford. Dr. Sutton brings a Burroughs Wellcome fellowship and research grant from the Jane Foundation. In addition to his funded projects, Dr. Sutton is studying ways to improve cold tolerance of cotton plants by augmenting natural repair mechanisms and producing strains of cotton which can extend not only at planting times but also the geographic growing ranges. Dr. Sutton has had extensive experience in training graduate students and laboratory technicians over the last five years. He will be a full member of our graduate program in cell physiology and molecular biophysics and will teach science courses to our medical students. Dr. Sutton’s training and accomplishments in the field of protein crystallography make him an ideal addition to the department and compliments the existing strengths of our membership in the Center of Membrane Protein research. Welcome, Dr. Sutton.

III.A. RECESS.—Chairman Anders recessed the meeting at 8:56 am so the Academic, Clinical and Student Affairs Committee could reconvene .

IV. CALL TO ORDER; RECONVENE INTO OPEN SESSION OF THE BOARD.— At approximately 9:04 a.m. on Friday, August 7, the Board reconvened and continued meeting in open session in the Matador Room, Second Floor, Room 227, Student Union Building, 15th and Akron Avenues, Lubbock, Texas, to consider items as a Board and in the Committee of the Whole.

IV.A. APPROVAL OF MINUTES.— Chairman Anders asked for approval of the minutes of the board meetings held on May 7-8, 2009 and June 29, 2009. Regent Francis moved for their approval. Regent Turner seconded the motion, and the motion passed unanimously.

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

IV.B.1. Regent Turner presented the item regarding approval of the Consent Agenda and acknowledgment of review of the Information Agenda. Regent Turner 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. TTUHSC: Approve revisions to the Code of Professional and Academic Conduct of the Student Handbook to be effective August 1, 2009.—The Board approved revisions to the *Code of Professional and Academic Conduct of the Student Handbook 2009-2010* for the Texas Tech University Health Sciences Center to be effective August 1, 2009. This request was approved administratively by the president and the chancellor. The Executive Summary: Proposed revisions to the *Code of Professional and Academic Conduct of the Student Handbook 2009-2010* and the TTUHSC Part II. *Code of Professional and Academic Conduct* (“Student Code”) are included herewith as Attachment No. 1 and Attachment No. 2, respectively.

IV.B.1.b. TTUHSC: Approve developmental leave of absence.—The Board approved the following leave of absence. This request was approved administratively by the president and the chancellor.

Faculty Development Leave

Faculty development leave without salary to Kenn Alan Freedman, M.D., Ph.D., associate professor of Ophthalmology. Dr. Freedman has been invited to be a visiting professor in ophthalmology at the University of Health Sciences in Phnom Penh, Cambodia. Dr. Freedman’s specialty is in neuro-ophthalmology and he will be conducting research, education and clinical service from September 14, 2009 through September 13, 2010 in Southeast Asia.

IV.B.1.c. TTUHSC: Approve outside appointments to non-elective positions.—The Board approved the appointments of the following faculty. This request was approved administratively by the president and the chancellor.

- The appointment of Josefina Lujan, R.N., Ph.D., regional dean of the Anita Thigpen School of Nursing, El Paso campus, to the Texas Board of Nursing. Dr. Lujan was appointed by Governor Rick Perry to the Texas Board of Nursing. Her term will run from May 2009 and will expire on February 1, 2015. The mission of the board is to ensure that licensed nurses in Texas meet the necessary requirements to practice the profession. It also oversees accreditation of nursing schools. Dr. Lujan is a member of the National Association of Hispanic Nurses, Southern Nursing Research Society, Sigma Theta Tau Honor Society of Nursing and the U.S – Mexico Border Health Association. She replaced Brenda Jackson of San Antonio.
- The appointment of Linda Brice, RN, Ph.D., FNP, associate professor, Anita Thigpen School of Nursing, to the Department of State Health Services Nursing Leadership Council. Dr. Brice was appointed by Dr. David L. Lakey, Commissioner, Texas Department of State Health Services (“DSHS”), to the newly created Department of State Health Services Nursing Leadership Council. Her appointment starts July 1, 2009. Because the Council is new, there is presently no end date for her term. The Council consists of nursing leaders from DSHS central office programs, public health regions, state hospitals, local health departments, and community Mental Health and Mental Retardation centers. The purpose of the Nursing Leadership Council is to support the role of professional nurses in implementing the agency’s mission to improve health and well-being in Texas. Dr. Brice’s professional expertise is focused on maternal-child health, high-risk obstetrics, women’s health,

community health, teen pregnancy, and sexually transmitted diseases. In 2001, she won the American Nursing Foundation/Wyeth-Ayerst Women's Health Research Award.

IV.B.1.d. TTUHSC: Approve exception to Section 03.01.8, Regents' Rules (nepotism).—The Board approved an exception to Section 03.01.8, *Regents' Rules* (Nepotism), for the individual listed below. This request was approved administratively by the president and the chancellor.

- Souad Sennoune, PhD., research instructor, Department of Cell Physiology and Molecular Biophysics and spouse of Raul Martinez-Zaguilan, Ph.D., associate professor, Department of Cell Physiology and Molecular Biophysics. Dr. Martinez-Zaguilan has been a faculty member in the department since 1995. Dr. Sennoune has worked in the laboratory of Dr. Martinez-Zaguilan since March, 2001. Drs. Sennoune and Martinez-Zaguilan married on January 2009. All matters related to the continued employment and salary of Dr. Sennoune will be determined and approved by Dr. Luis Reuss, chair of the Department of Cell Physiology and Molecular Biophysics and dean of the Graduate School of Biomedical Sciences.

IV.B.1.e. TTUHSC: Approve the reorganization of the School of Pharmacy Pharmaceutical Sciences Department.—The Board approved the reorganization of the School of Pharmacy Pharmaceutical Sciences Department. Formal Texas Higher Education Coordinating Board ("THECB") approval is required when dividing an existing administrative unit. In order to obtain THECB approval, it is necessary to have prior approval from the Board of Regents. This request was approved administratively by the president and the chancellor.

IV.B.1.f. ASU: Authorize a consulting agreement to provide services in the search for a provost of Angelo State University.—The Board authorized the

president or his designee to enter into an agreement to engage a consultant to provide assistance in the search for a provost/vice president for academic affairs of Angelo State University. This request was approved administratively by the president and the chancellor.

After evaluation of proposals received via an RFP process and interviews with selected firms, Storbeck/Pimentel & Associates was chosen to assist in the provost/vice president for academic affairs search.

The anticipated cost for this service is \$55,000 plus expenses.

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

Michael Farmer, effective July 1, 2009

- IV.B.1.h. TTU: Acceptance of a gift-in-kind in excess of \$1 million.—The Board approved following gift-in-kind be accepted for the benefit of Texas Tech University. This request was approved administratively by the president and the chancellor.

- 1) 100 software licenses of Morningstar Principia Portfolio Management Software worth \$3,345 each, totaling \$334,500
- 2) 110 software licenses of Morningstar Advisor Workstation Office Edition Software valued at \$4,050 each for two years, totaling \$891,000

This gift-in-kind contribution, made by Morningstar Advisor, totals \$1.2 million. This request was approved administratively by the president and the chancellor.

- IV.B.1.i. TTU: Acceptance of a gift-in-kind in excess of \$250,000.—The Board approved to accept the following gift-in-kind for the benefit of Texas Tech University: imaging software for use by the Texas Tech University Library which includes 25 workstation licenses and 233 server licenses valued at \$3,500 each. The contribution totals \$903,000. The contribution was made by an anonymous donor who wishes to remain anonymous. This request was approved administratively by the president and the chancellor.
- IV.B.1.j. TTU: Approve amendment to add an additional engagement to the Noel-Levitz consultant contract with the Division of Student Affairs & Enrollment Management.—The Board approved to amend the FY 2010 Noel-Levitz enrollment management consultant contract to add an engagement for a review of the Graduate School at Texas Tech University—recruitment, admissions, marketing, communications, strategic planning, etc. The cost is \$44,000 plus reimbursable expenses (travel) to be paid by the Division of Student Affairs & Enrollment Management. This request was approved administratively by the president and the chancellor.
- IV.B.1.k. TTU: Approve soil and groundwater deed recordation for Texas Tech University land in Carson County.—The Board authorized the president to execute a soil deed recordation and a groundwater deed recordation for Texas Tech University (“TTU”) land in Carson County, Texas. This request was approved administratively by the president and the chancellor.
- IV.B.1.l. TTUHSC: Authorize a modified work schedule for TTUHSC non-exempt medical staff employed by Correctional Managed Healthcare.—The Board authorized a modified work schedule for Texas Tech University Health Sciences Center (“TTUHSC”) non-exempt medical staff employed under the Correctional Managed Healthcare Contract. This request was approved

administratively by the president and the chancellor.

IV.B.1.m. TTUS, TTUSA, TTU, TTUHSC and ASU: Approve delegation of signature authority.—The Board, in accordance with *Texas Government Code*, Sec. 2103.061, approved the following signature authority. This request was approved administratively by the president and the chancellor.

- (1) To authorize the chancellor to designate officers and employees of the university to approve all travel of employees of Texas Tech University, except to countries outside the United States other than United States possessions, Canada and Mexico, provided that such travel contributes to the mission of the university and is in accordance with current travel regulations and who may further delegate their authority, effective September 1, 2009, and to continue until August 31, 2010, 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, 2009, and to continue until August 31, 2010, 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, 2009 and to continue until August 31, 2010 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, 2009 and to continue until August 31, 2010, or until such time as they are separated from the university or assigned other responsibilities, and further provided that any mechanically signed check of \$25,000 or more shall be reviewed and manually signed by one of the employees listed who may sign:

Jim Brunjes, Vice Chancellor and CFO

R.E. Dragoo, Jr., Chief Operating Officer
and Senior Vice President for
Administration and Finance

Beverly Cotton, Assistant Vice President
Financial Affairs/Controller

Ray Moran, Assistant Vice President for
Procurement Services

Janet L. May, Assistant Vice President for
Human Resources

Rebecca Perez, Director of Sponsored
Programs Accounting and Reporting

Crista McCune, Managing Director of
Financial Accounting and Reporting

- (5) To sign and/or countersign cashier's checks drawn on the university's Cashier's Account, effective September 1, 2009, and to continue until August 31, 2010 or until such time as they are separated from the university or assigned other responsibilities, whichever comes first and further provided that any mechanically signed check of \$25,000 or more be reviewed and manually signed by one of the employees listed who may sign or countersign:

Employees who may sign or countersign:

Jim Brunjes, Vice Chancellor and CFO
R.E. Dragoo, Jr., Chief Operating Officer
and Senior Vice President for
Administration and Finance
Beverly Cotton, Assistant Vice President
Financial Affairs/Controller
Ray Moran, Assistant Vice President for
Procurement Services
Janet L. May, Assistant Vice President for
Human Resources
Rebecca Perez, Director of Sponsored
Programs Accounting and Reporting
Crista McCune, Managing Director of
Financial Accounting and Reporting

- (6) To authorize transfer by wire or other means, of funds between Texas Tech University depositories, effective September 1, 2009, and to continue until August 31, 2010, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.

Employees who may authorize or counter-authorize:

Jim Brunjes, Vice Chancellor and CFO
Gary Ratliff, Associate Vice Chancellor
and CIO
Michael Horst, Assistant Vice Chancellor
and Investment Manager
R.E. Dragoo, Jr., Chief Operating Officer
and Senior Vice President for
Administration and Finance
Beverly Cotton, Assistant Vice President
Financial Affairs/Controller
Ray Moran, Assistant Vice President for
Procurement Services, TTU
Janet L. May, Assistant Vice President for
Human Resources
Rebecca Perez, Director of Sponsored
Programs Accounting and Reporting
Crista McCune, Managing Director of
Financial Accounting and Reporting
Yvette A. Jordan, Cash Manager, TTUSA

- (7) To authorize and approve the sale, purchase and transfer of stocks, bonds, and other securities which are owned or controlled by Texas Tech University provided such action is approved by any two of the individuals listed below, effective September 1, 2009, and to continue until August 31, 2010, or until such time as they are separated from the university or assigned other duties or responsibilities:

Jim Brunjes, Vice Chancellor and CFO
Gary Ratliff, Associate Vice Chancellor
and CIO

Michael Horst, Assistant Vice Chancellor
and Investment Manager

R.E. Dragoo, Jr., Chief Operating Officer
and Senior Vice President for
Administration and Finance

Beverly Cotton, Assistant Vice President
Financial Affairs/Controller

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

- (8) To authorize the president, TTUHSC, to designate officers and employees of the Health Sciences Center to approve and pay all documents covering expenditures for state-appropriated funds and all other Health Sciences Center-controlled funds, effective September 1, 2009, and to continue until August 31, 2010, or until such time as they are separated from the Health Sciences Center or assigned other responsibilities, whichever comes first.

The request, in accordance with corporate bank policy, has been approved administratively by the president, TTUHSC, and the chancellor and is

recommended for approval by the Board of Regents.

- (9) To sign checks drawn on all checking accounts of the Health Sciences Center in any depository bank effective September 1, 2009, and to continue until August 31, 2010, or until such time as they are separated from Texas Tech University System or assigned other responsibilities, and further provided that any mechanically signed check of \$25,000 or more shall be reviewed and manually signed by one of the employees listed who may sign:

John C. Baldwin, M.D., President
Jim Brunjes, Vice Chancellor and CFO
Elmo M. Cavin, Executive Vice President
for Finance & Administration
Michael Crowder, Associate Vice
President for Business Affairs
Carole Wardroup, Director of Finance
System Management
Celeste Kulinski, Director of Payment
Services
Melody Miller, Director of Accounting
Services
Rebecca Aguilar, Associate Director of
Accounting Services

- (10) To authorize transfer, by wire or other means, of funds between Texas Tech University Health Sciences Center depositories, effective September 1, 2009, and to continue until August 31, 2010, or until such time as they are separated from the Texas Tech University System or assigned other responsibilities, whichever comes first.

Employees who may authorize or counter-authorize:

John C. Baldwin, M.D., President
Jim Brunjes, Vice Chancellor and CFO
Gary Ratliff, Associate Vice Chancellor
and CIO
Elmo M. Cavin, Executive Vice President

for Finance & Administration
Michael Crowder, Associate Vice
President for Business Affairs
Carole Wardroup, Director of Finance
System Management
Celeste Kulinski, Director of Payment
Services
Melody Miller, Director of Accounting
Services
Rebecca Aguilar, Associate Director of
Accounting Services
Yvette A. Jordan, Cash Manager, TTUSA

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

- (11) To authorize and approve the sale, purchase and transfer of stocks, bonds, and other securities which are owned or controlled by the Health Sciences Center provided such action is approved by any two of the individuals listed below, effective September 1, 2009, and to continue until August 31, 2010, or until such time as they are separated from the Texas Tech University System or assigned other duties of responsibilities, whichever comes first:

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

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

Kelly Overley, Vice Chancellor for
Institutional Advancement

The request, in accordance with *Texas Government Code*, Sec. 2103.061, is to approve the following signature authority. This request has been administratively approved by the president, ASU, and the chancellor and is recommended for approval by the Board of Regents.

- (12) To authorize the chancellor to designate officers and employees of the university to approve all travel of employees of ASU, except to countries outside the United States other than United 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, 2009, and to continue until August 31, 2010, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.
- (13) To authorize the chancellor to designate officers and employees of the university to approve official travel reimbursements from State appropriations and all other funds for officers and employees of ASU provided that the purpose of the travel and reimbursement for such are in accordance with state travel regulations, other statutory requirements, or other action promulgated by this Board, effective September 1, 2009, and to continue until August 31, 2010, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.
- (14) To authorize the president, ASU, to designate officers and employees of the university to approve and pay all accounts covering expenditures from state-appropriated funds and all other university-controlled funds, effective September 1, 2009, and to continue

until August 31, 2010, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.

- (15) To sign checks drawn on all checking accounts of the university in the depository bank, effective September 1, 2009, and to continue until August 31, 2010, or until such time as they are separated from the university or assigned other responsibilities, and further provided that any mechanically signed check of \$10,000 or more shall be reviewed and manually signed by two of the employees listed who may sign:

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

- (16) To authorize transfers by wire or other means of funds from the ASU depository, effective September 1, 2009, and to continue until August 31, 2010, or until such time as they are separated from the university or assigned other responsibilities, whichever comes first.

Employees who may authorize:

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

- (17) To authorize and approve the sale, purchase and transfer of stocks, bonds, and other securities which are owned or controlled by ASU provided such action is approved by any two of the individuals listed below, effective

September 1, 2009, and to continue until August 31, 2010, or until such time as they are separated from the university or assigned other duties or responsibilities:

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

Information Agenda

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

- (1) ASU, TTU, and TTUHSC: Summary of Revenues and Expenditures by Budget Category, FY 2009, per Section 01.02.8.d(3)(f), *Regents' Rules*: All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.
 - (a) ASU: Report dated May 31, 2009 for fiscal year 2009 (available for review upon request); and
 - (b) TTU: Report dated May 31, 2009 for fiscal year 2009 (available for review upon request); and
 - (c) TTUHSC: Report dated May 31, 2009 for fiscal year 2009 (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 component institution contract renewals or amendments. A list of those renewal contracts in excess of \$500,000 per annum, including the amount of the contract, will be provided to the Board as an information item at the next board meeting."
 - (a) UMC, dba for Lubbock County Hospital District; amendment to "Master Coordinating Agreement; \$26,627,622 per annum.
 - (b) Texas Health and Human Services Commission; amendment to "Agreement ... for the Texas Nurse-Family Partnership Program"; \$827,916 per annum.
 - (c) Mitchell County Hospital District, dba Mitchell County Hospital; amendment to "Correctional On-site Health Care Services, Wallace Unit and San Angelo Work Camp"; \$1,322,025 per annum.
 - (d) Swank Motion Pictures, Inc; amendment to "License Distribution of HealthNet Education Programs" / "Educational Services Contract"; \$775,000 per annum.
 - (e) Covenant Health System; amendment to "Affiliation Agreement" regarding resident and program director funding; \$1,320,536 per annum.

- (f) Covenant Health System; amendment to "Affiliation Agreement"; \$4,887,420 raising total annual value to \$4,887,420 per annum.
- (g) Baptist St Anthony's Hospital Corporation; renewal "Agreement" for Family Medicine faculty and resident support; and Lease Agreement; \$1,559,892 per annum.
- (h) El Paso County Clinical Services, Inc; renewal "Medical Director and Professional Radiology Services Agreement"; \$1,950,000 per annum.
- (i) El Paso County Health Support Services, Inc; renewal "Surgery Nurse Practitioner/Physician Assistant Services Agreement"; \$612,000 per annum.

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

- (a) Texas Health and Human Services Commission (HHSC): Interagency Cooperation Contract, "Pediatric Specialty Telemedicine Network For Medicaid Clients Birth through 20 Years of Age (FREW)"; 08/01/2009 to 07/31/2011; \$6,744,954.

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

- (a.) TTUS: Report on the Engagement of Loomis, Sayles & Company and TimesSquare Capital Management (OCM) as Investment Managers.

The Investment Advisory Committee ("IAC") met on April 9 and June 10, 2009, and recommended the following investment funds for consideration by the Board of Regents:

1. Loomis Sayles Senior Loan Fund – Loomis was founded as an investment manager in 1926. The Senior Loan Fund was

started in 2004, and it invests in senior secured corporate bank loans. The fund employs no leverage. Its process focuses on credit selection and diversification. Loomis' utilizes its proprietary credit research department to evaluate return potential and contribution to portfolio risk for each security. The portfolio will hold a minimum of 80-100 issuers. Given the freezing of the credit markets earlier this year, this is an opportune time to invest in this sector of the market.

2. TimesSquare Capital Management - TimesSquare manages long-only growth equities in the small cap and mid cap markets, employing this strategy since 1997. The firm currently has about \$8.5 billion under management, with \$2.5 billion in the recommended SMid product. The product is right at capacity and will be closed to new investments soon after hiring. The two portfolio managers have a combined 41 years of investment experience.

Upon the recommendation of the Investment Advisory Committee, in accordance with Board of Regents Policy, the Chair of the Board of Regents, the Chair of the Finance and Administration Committee and the Chair of the Investment Advisory Committee approved the engagement of these managers on an immediate basis, as follows:

1. Loomis Sayles Senior Loan Fund be hired as a Opportunistic investment with an allocation of \$10 million.
2. TimesSquare Capital Management be hired as a Domestic Equity manager with an allocation of \$10 million.

The motion was seconded and passed unanimously.

- IV.B.2. TTUS: Approve appointment of members to the Board of Directors of Texas Tech Foundation Inc.—The Board approved the appointment of the following sixteen individuals to the Board of Directors of Texas Tech Foundation, Inc.:

1st Term Expiring August 31, 2013

David G. Alderson, Lubbock
Bradley C. Barron, San Antonio
Kenneth L. Burgess, Sr., Abilene
H. Craig Evans, Dallas
Fern 'Missy' Finck, San Antonio
Terry E. Fuller, Southlake
Robert B. Horsman, San Diego, California
Matt E. Malouf, Dallas
Robert R. Matejek, Dallas
H. Christopher Mott, El Paso
R. Randall Onstead, Jr., Santa Fe, New Mexico

2nd Term Expiring August 31, 2012

Margaret Brannan, San Antonio
E.R. "Dick" Brooks, Granbury
James L. Burkhart, Lubbock
John Racz, Horseshoe Bay
William G. Ritter, Odessa

- IV.B.3. TTUS: Report of the Regents' Rules Review Committee and approval of certain amendments to the Regents' Rules.—The Board accepted a report on the work being done by the Rules Committee and approved amendments to incorporate a new conflict of interest policy applicable to Board members, included herewith as Attachment No. 3, with an additional amendment to Section 03.03.4.b, included herewith as Attachment No. 4. This new Board conflict of interest policy will be added to Chapter 03 (Personnel). The TTUS Conflict of Interest PowerPoint is included herewith as Attachment No. 5.
- IV.B.4. TTUS: Report on strategic planning.—The Board accepted a report on strategic planning, included herewith as Attachment No 6.

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

- V. REPORTS OF STANDING COMMITTEES.—At approximately 9:30 a.m., at the direction of Chairman Anders, Standing Committee reports were presented sequentially to the Committee of the Whole.

V.A. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

Committee Chairman Scovell reported that the Finance and Administration Committee met in open session on August 6, 2009 to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the action set forth in the Minute Order that follows was recommended by the Finance and Administration Committee and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

- V.A.1. TTUSA, TTU, ASU and TTUHSC: Approve FY 2010 operating budgets.

The TTUS Summary Operating Budgets Fiscal Year 2010 PowerPoint is included herewith as Attachment

No. 7.

V.A.1.a. TTUSA: Approve FY 2010 operating budget.—The Board approved the item to approve the Texas Tech University System Administration FY 2010 operating budget. In addition, the Board approved to appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the Board.

V.A.1.b. TTU: Approve FY 2010 operating budget.—The Board approved the Texas Tech University FY 2010 operating budget. In addition, the Board approved to appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the Board.

V.A.1.c. ASU: Approve FY 2010 operating budget.—The Board approved the Angelo State University FY 2010 operating budget. In addition, the Board approved to appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the Board.

V.A.1.d. TTUHSC: Approve FY 2010 operating budget.—The Board approved the Texas Tech University Health Sciences Center FY 2010 operating budget. In addition, the Board approved to appropriate the fund balances of income generating accounts for specific activities usually supported by the accounts unless otherwise appropriated by the Board.

V.A.2. TTU: Approve renewal of the Citibus agreement and to state FY 2009-2010 annual contract amount.—The Board approved to renew a contract with the City of Lubbock (“Citibus”) and City Transit Management Company to provide on-campus and off-campus student transportation services for the period of September 1, 2009 through August 31, 2010. This contract is renewed on an annual basis. For FY10, the annual contract amount will be increased to \$2,457,715.16, plus additional amounts due if the service is utilized during additional University events as requested by the University. The increase in this contract will allow for higher quality and

increased service for the students of Texas Tech University. The original item is VII.B.1.f. in the minutes of the August 17, 2004 Board of Regents meeting.

- V.A.3. TTUHSC: Approve the submission of a request to exceed the Full Time Equivalent (“FTE”) limitation established by the General Appropriations Act.—The Board approved the submission of a request to the Governor and the Legislative Budget Board to increase the Full Time Equivalent (“FTE”) limitation applicable to appropriated funds from 1,766.3 to 2,036.8 FTEs for fiscal year 2010 and from 1,787.6 to 2,058.1 for fiscal year 2011. The TTUHSC Requested Increase in FTE Limitation is included herewith as Attachment No. 8.
- V.A.4. TTUHSC: Authorization for the president to approve engagement of a consulting firm to prepare the Facilities and Administrative (“F&A”) rate study.—The Board authorized the president to approve a consulting agreement between Texas Tech University Health Sciences Center and Huron Consulting Group.
- V.A.5. TTUHSC: Authorize execution of an agreement with the Texas Department of State Health Services and other necessary agreements with health care facilities and providers to enable TTUHSC to comply with the General Appropriations Act, 81st Legislature, Regular Session, Article II, Section 96.—The Board authorized the president to negotiate and execute an agreement with the Texas Department of State Health Services and such other agreements that may be necessary to comply with the provisions of Article II, Section 96 of the General Appropriations Act.
- V.A.6. TTUS: Approval of Van Eck & Hunter as investment managers for the Long Term Investment Fund.—The Board approved:
1. Van Eck Global as a Real Assets investment manager with an allocation of \$7 million.
 2. Hunter Global Investors as a Hedge Fund investment manager with an allocation of \$10 million.

V.B. REPORT OF THE FACILITIES COMMITTEE

Committee Chairman Francis reported that the Facilities Committee met in open session on August 6, 2009 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.B.1. ASU: Authorization to transfer the San Angelo Museum of Fine Arts.—The Board authorized the chairman of the Board to execute a deed transferring the San Angelo Museum of Fine Arts (“Museum”) to the San Angelo Museum of Fine Arts, a Texas non-profit organization (“Organization”), in compliance with Chapter 109A.005, *Texas Education Code* (the Act).

Further, the Board found:

- a) that the transfer will serve the interest of the university and the public;
- b) that Angelo State University (“ASU”) does not require the entirety of the real property and improvements for educational purposes; and
- c) that the organization intends to continue using the property for public purposes, including educational purposes; and keep the Museum open to the public on a frequent and regular basis.

The Board also authorized ASU to enter into a long-term lease under which ASU will lease approximately 3,657 square feet of an inside main classroom and approximately 1,600 square feet of an outside classroom in the facility for an annual amount of \$55,200 to be paid in equal monthly installments. The lease shall include all terms and conditions set forth in a Memorandum of Understanding dated August 8, 2008 between the Board of Regents of the Texas Tech University System and the San Angelo Museum of Fine Arts.

The ASU Authorize Transfer of the San Angelo Museum of Fine Arts PowerPoint is included herewith as Attachment No. 9.

- V.B.2. ASU: Approve a construction project to renovate the Porter Henderson Library to create an Information Commons.—The Board authorized Facilities Planning and Construction (i) to proceed with a construction project to renovate the Porter Henderson Library to create an Information Commons with a project budget of \$4,380,000; (ii) to complete the design and obtain project approval from the Texas Higher Education Coordinating Board; and (iii) to accept a Guaranteed Maximum Price proposal from the Construction Manager at

Risk. The project will be funded through the Revenue Finance System repaid with library fees.

The Board 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, and, as such, declare its intention, in accordance with the provisions of *Treasury Regulations*, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a new project an aggregate maximum principal amount expected to be \$4,380,000.

The Board also authorized the president 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 ASU Approve a Construction Project to Renovate the Porter Henderson Library to Create an Information Commons PowerPoint is included herewith as Attachment No. 10.

- V.B.3. ASU: Approve a construction project to renovate and expand the Center for Human Performance.—The Board authorized Facilities Planning and Construction (i) to proceed with a construction project to expand the Center for Human Performance (the student recreation center) with a project budget of \$7,000,000; (ii) to complete the design and obtain project approval from the Texas Higher Education Coordinating Board; and (iii) to accept a Guaranteed Maximum Price proposal from the Construction Manager at Risk. The project will be funded through the Revenue Finance System repaid with student recreation fees.

The Board 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, 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 \$7,000,000.

The Board also authorized the president 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 ASU Approve a Construction Project and Expand the Center for Human Performance Addition project PowerPoint is included herewith as Attachment No. 11.

- V.B.4. TTU: Approve a construction project for the Administration Building abatement and ADA compliance.—The Board authorized Facilities Planning and Construction (i) to proceed with a construction project to abate the third floor of the Administration Building and provide ADA compliance with a project budget of \$3,850,000; (ii) to complete the design and obtain project approval from the Texas Higher Education Coordinating Board; and (iii) to accept a Guaranteed Maximum Price proposal from the Construction Manager at Risk. The project will be funded with Higher Education Assistance Funds.

The TTU Approve a Construction Project for the Administration Building Abatement and ADA Compliance PowerPoint is included herewith as Attachment No. 12.

- V.B.5. TTU: Approve a construction project for a new warehouse.—The Board authorized Facilities Planning and Construction (i) to proceed with a project to construct a new warehouse with a project budget of \$1,500,000; (ii) to complete the design and obtain project approval from the Texas Higher Education Coordinating Board; and (iii) award a construction contract. The project will be funded with Higher Education Assistance Funds.

The Board also authorized the Physical Plant to manage this project as an exception to Section 08.01.3.c. of the *Regents Rules*.

The TTU Approve a Construction Project for a New Warehouse PowerPoint is included herewith as Attachment No 13.

V.B.5a. TTU: Approve change in the source of funds for Rawls College of Business Administration project.—The Board authorized Facilities Planning and Construction:

- (i) to change the source of funds for the \$70,000,000 Rawls College of Business Administration project as follows:

	<u>Old</u>	<u>New</u>
Tuition Revenue Bonds (“TRB”)	\$25,000,000	\$25,000,000
Higher Education Assistance Funds (“HEAF”)	\$ 5,000,000	\$10,000,000
Gifts and Donations	\$ 0	\$13,000,000
Revenue Finance System repaid with Gifts & Donations	\$40,000,000	\$ 7,000,000
Revenue Finance System repaid with Student Fees	<u>\$ 0</u>	<u>\$15,000,000</u>
Total	\$70,000,000	\$70,000,000

- (ii) to submit the changes in funding to the Texas Higher Education Coordinating Board (“THECB”).

The Board 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, 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 \$47,000,000.

The Board also authorized the president to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

The TTU Approve a Change in the Source of Funds for the Rawls College of Business Administration Project PowerPoint and the Colleges of Business Comparison of Tuition and Fees

For One Full-Time BA Semester are included herewith as Attachment No. 14 and Attachment No. 15, respectively.

- V.B.6. TTUSA: Report on the System office relocation project.—The Board accepted a report on the System office relocation project, included herewith as Attachment No. 16.
- V.B.7. TTUS: Report on Facilities Planning and Construction projects.— The Board accepted a report on the Facilities Planning and Construction managed projects, included herewith as Attachment No. 17.

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

Committee Chairman Griffin reported that the Academic, Clinical and Student Affairs Committee met in open session on August 6 and 7, 2009 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.C.1. ASU: Approve appointments with tenure.—The Board approved the granting of tenure to the following faculty of Angelo State University (“ASU”) contemporaneously with their appointments.

Kenneth J. Heineman, Ph.D., new professor of History and newly selected head, Department of History, College of Liberal and Fine Arts. Dr. Heineman is currently serving as a tenured full professor in the Department of History at Ohio University-Lancaster.

Shawn T. Wahl, Ph.D., new professor of Communication and newly selected head, Department of Communication, Drama and Journalism, College of Liberal and Fine Arts. Dr. Wahl is currently serving as a tenured associate professor in the Department of Communication and Theatre at Texas A&M University-Corpus Christi.

- V.C.2. ASU: Approve revisions to the Student Handbook of Angelo State University, effective fall 2009.—Dr. Linbaugh presented the item to approve revisions to the *Student Handbook* for Angelo State University effective fall 2009.

The ASU Executive Summary of Revisions for the *Student Handbook* and the ASU *Student Handbook* are included herewith as Attachment No. 18 and Attachment No. 19, respectively.

V.C.3. TTU: Approve appointments with tenure.—The Board approved the granting of tenure to the following faculty of Texas Tech University contemporaneously with their appointments:

Richard Bjella, M.M., new professor and director of Choral Studies in the School of Music, College of Visual and Performing Arts. Professor Bjella is currently tenured as a professor in the Conservatory of Music at Lawrence University in Appleton, WI;

Kelli Cargile Cook, Ph.D., new associate professor in the Department of English, College of Arts & Sciences. Professor Cook is currently tenured as an associate professor in the Department of English at Utah State University in Logan, UT;

John Mankowski, Ph.D., recently appointed associate professor in the Department of Electrical and Computer Engineering, College of Engineering. Professor Mankowski previously served as a tenured associate professor in the Department of Electrical and Computer Engineering and returned to the university after being selected through a national search; and

Connie LaRue Scarborough, Ph.D., new professor in the Department of Classical and Modern Languages and Literatures, College of Arts and Sciences. Professor Scarborough is currently a tenured professor in the Department of Romance Languages and Literatures at the University of Cincinnati in Cincinnati, OH.

V.C.4. TTU: Approve a Doctor of Philosophy degree in Human Dimensions of Agricultural Sciences in the College of Agricultural Sciences and Natural Resources.—The Board approved the new degree program for a Doctor of Philosophy in Human Dimensions of Agricultural Sciences in the College of Agricultural Sciences and Natural Resources and authorized submission, by the Office of the Provost and Senior Vice President to the Texas Higher Education Coordinating Board seeking its approval for such a program.

Implementation of this new program will not require additional space or facilities and no new faculty positions are required. The program will be administered through the Department of Agricultural Education and Communications in the College of Agricultural Sciences and Natural Resources.

- V.C.5. TTUHSC: Approve appointment with tenure.—The Board approved that tenure be granted to the following individual:

Roger Smalligan, M.D. joins the Texas Tech University Health Sciences Center on September 1, 2009 as an associate professor and the new Regional Chair of the Department of Internal Medicine, Amarillo campus. Presently he is a tenured associate professor in the Department of Internal Medicine at the East Tennessee State University Quillen College of Medicine. Dr. Smalligan received his medical training from Johns Hopkins University. He completed his residency training in internal medicine and pediatrics at Vanderbilt University. He is board certified in both internal medicine and pediatrics. He is a member of the Alpha Omega Alpha.

- V.C.6. TTUHSC: Approve appointment of Grover E. Murray Professor.—The Board approved that Quentin R. Smith, Ph.D., professor and chair of the Department of Pharmaceutical Sciences, be appointed a Grover E. Murray Professor. Dr. Smith has been a member of the School of Pharmacy faculty since 1997.

The Grover E. Murray Professorship is intended for a faculty member who attains national and/or international distinction for outstanding research, scholarly and creative achievement. Dr. Smith exemplifies these criteria. He is an individual of the highest ethical and scientific standards. He has made unique contributions of extraordinary value in cerebral vascular biology, with a specialization of drug delivery strategies for complex drugs and molecules across the blood brain barrier. He holds several prestigious awards and appointments to local and national positions of honor.

Dr. Smith is currently funded as a Principal Investigator by the National Institutes of Health. He maintains productive research activities, a heavy teaching load, and provides effective leadership and management direction for his department. He is an unselfish leader who has been able to skillfully balance the needs of his research and teaching,

making him a consummate and invaluable member of our faculty.

The faculty who have been previously named Grover E. Murray professors include:

- Dr. Neil Kurtzman (retired);
- Dr. John Orem;
- Dr. Gabor Racz;
- Dr. Doug Stocco; and
- Dr. Abraham Verghese (no longer at TTUHSC).

V.C.7. TTUHSC: Approve exceptions to Section 03.01.8, Regents' Rules (nepotism).—The Board approved an exception to Section 03.01.8, *Regents' Rules* (Nepotism), for the individual listed below.

- Doris Marien Cortes, research aide, Department of Cell Physiology & Molecular Biophysics, and spouse Luis Cuello, Ph.D., assistant professor in the Department of Cell Physiology and Molecular Biophysics. Dr. Cuello will join the department on July 1, 2009. Ms. Cortes is a highly skilled research technician who currently works as senior research technologist and lab manager in Dr. Cuello's laboratory at the University of Chicago. Ms. Cortes possesses valuable experience in molecular biology, structural biology and biophysics of ion channels in excitable cells. Her expertise includes membrane-protein crystallization and structural analysis methods, as well as measurements of molecular distances and amino-acid environment by electron paramagnetic resonance spectroscopy. She is degreed in cellular biology from the Universidad Central de Venezuela. Ms. Cortes's knowledge, skills and abilities will be invaluable in the establishment and development of Dr. Cuello's research program at the Texas Tech University Health Sciences Center. All matters related to the employment and salary of Ms. Cortes will be approved by Dr. Luis Reuss, chair of the Department of Cell Physiology and Molecular Biophysics and dean of the Graduate School of Biomedical Sciences.

V.C.8. ASU: Report on Hispanic Serving Institution ("HSI") status.—The Board accepted a report on Hispanic Serving Institution status.

V.C.9. ASU: Report on Student Health Center plans.—The Board accepted a report on the Student Health Center plans.

V. C.10. TTU: Tech Legacy and Red Raider Enrollment Drive reports.—The Board accepted a report on the Legacy Program and the Red Raider enrollment drive.

V.D. REPORT OF THE AUDIT COMMITTEE

Committee Chairman Serna reported that the Audit Committee met in open session on July 27, 2009 and August 6, 2009 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.D1. TTUS: Report on the establishment of a Conflict of Interest policy.—The Board accepted a report on the establishment of a Conflict of Interest policy for the Texas Tech University System Board of Regents.

The Chapter 03 – Personnel (proposed changes); the 03.03.3 Conflict of Interest and Restriction on Investments (proposed changes); and the Actions / Revisions Since the May BOR Meeting Summary are included herewith as Attachment No. 20, Attachment No. 21 and Attachment No. 22, respectively.

V.D.2. TTUS: Report on the establishment of an Audit Committee charter.—The Board accepted a report on the establishment of an Audit Committee charter.

The TTUS Board of Regents Audit Committee Charter (as proposed); the Audit Committee Charter Matrix for Government Organizations; the Model: Audit Committee Charter; the Guidelines for the Committee on Audit from the Board of Regents of the Texas A&M University System; Committee on Audit – Review of System Internal Audit Performance (A&M); and the Responsibilities Checklist for the Audit, Compliance, and Management Review Committee of the Board of Regents of the University of Texas System are included herewith as Attachment No. 23, Attachment No. 24,

Attachment No. 25, Attachment No. 26, Attachment No. 27 and Attachment No. 28, respectively.

- V.D.3. TTUS: Report on the 2010 annual audit plan for the Texas Tech University System.—The Board accepted a report on the 2010 annual audit plan, included herewith as Attachment No. 29, for the Texas Tech University System.
- V.D.4. TTUS: Approve Audit Committee Charter.—The Board approved the Audit Committee Charter, included herewith as Attachment No. 30.
- V.D.5. TTUS: Approve 2010 annual audit plan for the Texas Tech University System.—The Board approved the annual audit plan, included herewith as Attachment No. 31.
- V.D.6. TTUS: Report on audits.—The Board accepted a report on the System's audit projects, included herewith as Attachment No. 32.

VI OPEN SESSION.—At approximately 10:00 a.m. the Board continued in open session in the Matador Room, Second Floor, Room 227, Student Union Building, 15th and Akron Avenues, Lubbock, Texas, to consider items as the Committee of the Whole and Meeting of the Board.

- VI.A. SCHEDULE FOR BOARD MEETINGS.—Mr. Lock presented the following schedule for future board meetings: October 22-23, 2009; December 17-18, 2009; February 25-26,2010 (Amarillo); May 13-14, 2010; August 5-6, 2010; October 15, 2010; and December 16-17, 2010.
- VI.B. CHANCELLOR'S REPORT.—Chairman Anders called on Chancellor Hance, who presented the Chancellor's Report.
- VI.C. THE PRESIDENT'S REPORT, TTU.—Chairman Anders called on President Bailey, who presented the President's Report.
 - X.C.1 REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTU.—Chairman Anders called on Ms. Suzanne Williams, president, Student Government Association, TTU, who presented a report from the Student Government Association.
- X.D. THE PRESIDENT'S REPORT, TTUHSC.—No report was presented to the Board.
 - X.D.1. REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTUHSC.— Chairman Anders called on Mr. Cory Robertson,

president, Student Government Association, TTUHSC, who presented a report from the Student Government Association.

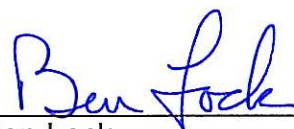
- X.E. THE PRESIDENT'S REPORT, ASU.—Chairman Anders called on President Rallo, who presented the President's Report.
 - VI.F.1 REPORT BY STUDENT GOVERNMENT ASSOCIATION, ASU—Chairman Anders called on Mr. Jeff Harris, president, Student Government Association, ASU, who presented a report from the Student Government Association.
- VII. EXECUTIVE SESSION.—At approximately 11:43 a.m., the Board recessed and convened into Executive Session as authorized by Chapter 551 of the *Texas Government Code*.
- VIII. OPEN SESSION.—At approximately 1:48 p.m., the Board continued in open session in the Matador Room, Second Floor, Room 227, Student Union Building, 15th and Akron Avenues, Lubbock, Texas, to consider items as a Committee of the Whole and Meeting of the Board.
 - VIII.A. REPORT OF EXECUTIVE SESSION.—There were no motions from Executive Session.
 - VIII.B. CHAIRMAN'S ANNOUNCEMENTS.—Chairman Anders asked if there were any announcements.
- X. ADJOURNMENT.—Chairman Anders adjourned the meeting at approximately 1:50 p.m.

INDEX OF ATTACHMENTS

Attachment 1	TTUHSC Executive Summary. Proposed revisions to the <i>Code of Professional and Academic Conduct</i> of the <u>Student Handbook 2009-2010</u>
Attachment 2	TTUHSC Part II. <i>Code of Professional and Academic Conduct (Student Code)</i>
Attachment 3	TTUS Proposed Rewrite of Chapter 03, Personnel, <i>Regents' Rules</i>
Attachment 4	TTUS Additional Amendment Approved to Chapter 03.03, Section 03.03.4.b
Attachment 5	TTUS Conflict of Interest PowerPoint
Attachment 6	TTUS Leading the Way, Strategic Priorities and Goals PowerPoint
Attachment 7	TTUS Summary Operating Budgets FY 2010 PowerPoint
Attachment 8	TTUHSC Requested Increase in FTE Limitation
Attachment 9	ASU Authorize Transfer of the San Angelo Museum of Fine Arts PowerPoint
Attachment 10	ASU Approve a Construction Project to Renovate the Porter Henderson Library to Create an Information Commons PowerPoint
Attachment 11	ASU Approve a Construction Project and Expand the Center for Human Performance Addition Project PowerPoint
Attachment 12	TTU Approve a Construction Project for the Administration Building Abatement and ADA Compliance PowerPoint
Attachment 13	TTU Approve a Construction Project for a New Warehouse PowerPoint
Attachment 14	TTU Approve a change in the Source of Funds for the Rawls College of Business Administration Project PowerPoint
Attachment 15	Colleges of Business Comparison of Tuition and Fees for One Full-Time BA Semester
Attachment 16	TTUSA Report on System Offices Relocation Project PowerPoint
Attachment 17	TTUS Bricks and Mortar Report
Attachment 18	ASU Executive Summary of Revisions for the Student Handbook
Attachment 19	ASU Student Handbook
Attachment 20	TTUS Chapter 03, Personnel (proposed changes) (7/27/09 mtg)
Attachment 21	TTUS 03.03.3 Conflict of Interest and Restriction on Investment (proposed changes) (7/27/09 mtg)
Attachment 22	TTUS Actions/Revisions Since the May BOR Meeting Summary (7/27/09 mtg)
Attachment 23	TTUS Board of Regents Audit Committee Charter (as proposed) (7/27/09 mtg)
Attachment 24	Audit Committee Charter Matrix for Government Organization (7/27/09 mtg)
Attachment 25	Model Audit Committee Charter (7/27/09 mtg)
Attachment 26	Guidelines for the Committee on Audit from the Board of Regents of the Texas A&M University System (7/27/09 mtg)
Attachment 27	Committee on Audit – Review of System Internal Audit Performance (A&M) (7/27/09 mtg)

- Attachment 28 Responsibilities checklist for the Audit Compliance and Management Review Committee of the BOR of the University of Texas System (7/27/09 mtg)
- Attachment 29 TTUS Prioritized Audit Plan FY 2010 (7/27/09 mtg)
- Attachment 30 TTUS Audit Committee Charter
- Attachment 31 TTUS Annual Audit Plan
- Attachment 32 TTUS Prioritized Audit Plan FY 2009

I, Ben Lock, the duly appointed and qualified Secretary of the Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the Minutes of the Texas Tech University System Board of Regents meeting on August 7, 2009.



Ben Lock
Secretary

SEAL