

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
October 15, 2010

Friday, October 15, 2010.—The members of the Board of Regents of the Texas Tech University System convened at 8:03 am on Friday, October 15, 2010, in the Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

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

The following officers and staff were present: Mr. Kent Hance, Chancellor, TTUS; Dr. Guy Bailey, President, TTU; Dr. Joseph Rallo, President, ASU; Dr. Tedd Mitchell, President, TTUHSC; Mr. Ben Lock, Executive Assistant to the Chancellor and Secretary of the Board, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Mr. Jim Brunjes, 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; Dr. James Limbaugh, Vice President for Strategy, Planning and Policy, ASU; Dr. Vance Valerio, Vice President for Student Affairs and Enrollment Management, ASU; Dr. Anthony Blose, Academic Affairs Provost and Vice President, ASU; Dr. Bob Smith, Provost and Senior Vice President for Academic Affairs, TTU; Dr. Taylor Eighmy, Vice President for Research, TTU; Dr. Rial Rolfe, Vice President for Academic Services, TTUHSC; Dr. Michael Shonrock, Senior Vice President for Student Affairs and Enrollment Management, TTU; Mr. Michael Molina, Vice Chancellor for Facilities Planning and Construction, TTUS; Mrs. Kim Turner, Chief Audit Executive, TTUS; Dr. Kelly Overley, Vice Chancellor for Institutional Advancement, TTUS; Mr. Jodey Arrington, Chief of Staff, Office of the Chancellor, TTUS; Dr. John Opperman, Vice Chancellor for Policy and Planning, TTU; Mr. David Miller, Vice Chancellor for Technology Transfer, TTUS; Mr. Drew Graham, President, Student Government Association, TTU; and Mrs. Christina Martinez, Assistant Secretary to the Board of Regents, TTUS.

- I. CALL TO ORDER; CONVENE INTO OPEN SESSION OF THE BOARD.—
Chairman Anders announced a quorum present and called the meeting to order.

II. INTRODUCTIONS AND RECOGNITIONS.—Chairman Anders called on Mr. Hance, Dr. Bailey, Dr. Mitchell and Dr. Rallo to present their introductions and recognitions.

Mr. Hance stated that he had a few introductions. “I have a few quick introductions that I would like to make. First is Byron Martin. Byron is a lifelong resident of Lubbock and is a Texas Tech graduate. He was an architecture major. He was in the construction business in Lubbock. He did a lot of work with the Lubbock Independent School District. Regent Neal can attest to that. He did a great job. The Technology Center at the Lubbock ISD is named after him.

“Berwyn Tisdell is also a Texas Tech graduate. He was an architect in town. He has been a mainstay Texas Tech supporter.

“Debbie Cox is the project manager of the East Stadium project. She has been working on stadium issues since 2007. She is also one of the scorekeepers in our Lady Raider basketball games and volleyball. She is involved with the Big XII tournament.

“John Givens is the vice president of field operations for Lee Lewis Construction. He was in charge of overseeing all of the construction on the east side and the north side.

“I just wanted to thank these individuals. They had some time restraints. They had a lot of issues that changed during the construction. They never complained. They were stalwarts. The most important thing is that they worked as a team. They did everything well. You have heard me tell the story about the day or night game. For them it was a day game but it was on Sunday rather than Saturday thanks to T.V. That gave them a little extra time. A special thanks go to them because they went way beyond what is necessary and what a great team they make. Thank you all.”

Dr. Bailey presented his introductions to the Board. “Each year we do a Matador video challenge which focuses on academic integrity. This year’s winning video was titled “Accountability, it starts here.” One of the two students who put this together is here today. Erick Stow is a senior advertising major from Saskatchewan, Canada. The other student, Nathan Milles, is a junior advertising major from Flower Mound. He was unable to make it today as he is traveling with the cross country team. Eric, we appreciate your work.

“Last spring we mentioned that our debate team had won two national championships within a two week period in the spring semester. I have one of the debate team members here. Adam Testerman is from Springfield, Missouri and his coach is Joe Gantt. We appreciate the work from both of the individuals who have received two championships in the course of two weeks. That is very impressive. Adam is off to a good year already.”

Regent Huffaker asked about the championship cups displayed in the room.

Dr. Bailey replied, "I didn't realize they brought their trophies. I appreciate you bringing those.

"We have introduced our new Horn Professors to you. Dr. Sindee Simon was unable to attend the last meeting. Dr. Simon is a professor and associate chair of Chemical Engineering. She joined Texas Tech in 1999. She is internationally known in her field. She is a fellow of the Society of Plastics Engineers and of the North American Thermal Analysis Society. She has brought in more than \$4 million in research funding in her career.

"We have a new interim dean of the Honors College, Dr. Stephen Fritz. Dr. Fritz is a retired president of Midland College—it used to be Midland Lutheran—in Nebraska. He has a long career in administration. He has already hit the ground running. If you have been to any recruiting events, you may have already met Dr. Fritz.

"We have some strategic hires that we've made. This has been an important part of our move to Tier I. I'd like to ask each of them to stand as I call their names. Dr. William Resetarits is a new professor in Biological Sciences. He is a nationally recognized population and community ecologist. He has a long history of research funding from the National Science Foundation and actually comes to us from the National Science Foundation.

"Dr. Matt Olson is an associate professor in Biological Sciences. He'll be developing graduate and undergraduate programs in bioinformatics and computational biology.

"Dr. Yehia Mechref is a new associate professor in Chemistry and Biochemistry and is a nationally known expert in spectrometry and will be of value to our medical school as well as the Biology and Chemistry Departments here.

"Dr. Juske Horita is a professor of Geosciences. He is setting up a center for stable isotopes studies for the advancement of water and natural resource related research programs.

"Dr. Jerzy Blawdziewicz is a professor of mechanical engineering. He looks at non-equilibrium behavior of complex fluids and the dynamics of granular materials and glass forming matter.

"Dr. Guy Loneragan is the new professor of Food Safety and Public Health in the Department of Animal and Food Sciences. He is a top expert in pre-harvest control of an e-coli strain. That is very important work to the cattle industry.

"We want to welcome all of you to Texas Tech. It is great to have you here.

“That concludes my introductions.”

Dr. Mitchell presented his introductions. “I want to make a new introduction which is a new hire. Kendra Burris has been serving as the interim vice chancellor for Institutional Advancement at the Health Sciences Center. She was made the vice chancellor for that position. Kendra is from this area—from Idalou. She is a Texas Tech graduate. Her husband is on the faculty of the Texas Tech University. She has been outstanding for us in our efforts to fund raise. Thank you, Kendra, for your work.

“My only other introduction is really for someone who needs no introduction. Some of these introductions are perhaps unnecessary because everyone already knows who they are, but they are absolutely deserved. General Bernhard Mittermeyer, will you please stand. Dr. Mittermeyer is here with his wife, Mary Beth. Like most of us, if it were not for her, he would not be where he is.

“Dr. Mittermeyer is professor and provost emeritus of the Texas Tech University Health Sciences Center. He came to Texas Tech in 1986 as the executive vice president and provost. During his 24 years at Texas Tech, Dr. Mittermeyer has served the institution in several key positions including interim president and dean of the School of Medicine, professor of Urology and chief of Urology. Before Texas Tech, Dr. Mittermeyer served 28 years in the Army, rising to the rank of Lieutenant General and retiring in 1985 as the Army Surgeon General, the highest position open to Army physicians. As Surgeon General of the Army from 1981 to 1985, he was chief executive officer of the Army Medical Department and senior medical staff advisor to the chief of staff of the Army and the secretary of the Army. Dr. Mittermeyer served as commander and chief executive officer of the Walter Reed Medical Army Center, the military’s largest tertiary care center and research center and teaching hospital. Other key military assignments have included: chief of the Army Medical Core and chief of Professional Services, commander of the U.S. Army Medical Command in Korea, Chairman of the Department of Surgery, and chief of the Urological Residency Training Program at Walter Reed Army Medical Center, division surgeon and medical battalion commander of the 101st Airborne Division in Vietnam. Dr. Mittermeyer holds numerous military decorations and citations including the Distinguished Service Medal which is the Army’s highest peacetime award, as well as the Distinguished Flying Cross and Bronze Star Medal for valor in combat. Non-military honors include an honorary doctorate of law from [Movarian College](#), an honorary doctorate of science from William Jewell College and the Alumni Achievement Award in Health Policy from Temple University School of Medicine. Dr. Mittermeyer received his doctor of medicine degree from Temple University School of Medicine in Philadelphia, Pennsylvania. He has authored or co-authored more than 40 publications and has made numerous publication presentations in the areas of urology, surgery, healthcare administration leadership, over his more than 54 year career in medicine. When we look at where we are and where are going as an institution, it is because of people like

General Mittermeyer that we have been able to do the things that we have done. I'd like to be the first in congratulating him and recognizing his work for the TTUHSC."

Regent Francis added, "As a senior regent serving on this Board, on Bernie's watch, we've seen our HSC move from where it was to where it is today to where it is going. We have called on him so many times to fill leadership gaps. He's always unselfishly stepped up and served our university, our system. When you look around "the empire," so to speak, in Amarillo, Abilene, Midland-Odessa or El Paso, or the tremendous growth in Lubbock, Dr. Mittermeyer has been a key player in that and we very much appreciate what you have done."

Chancellor Hance stated, "The only problem in this world is that there are not enough Bernie Mittermeyers around. He is the best. When you ask him to do something, you get a 'yes sir.' You can tell he's been in the military and you know he's going to do what he says. Bernie and Mary Beth, on behalf of Texas Tech, please know that everyone here loves you, respects you and we salute you for a job well done. It's not everyday that I get to salute a three-star general."

President Rallo stated he had no introductions.

III. RECESS—Chairman Anders recessed the meeting at 8:17 am to conduct committee meetings.

IV. COMMITTEE MEETINGS

Friday, October 15, 2010.—The members of the Board of Regents of the Texas Tech University System reconvened at 10:38 am on Friday, October 15, 2010, in the Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

Regents present were Larry K. Anders, Chairman; L. Frederick "Rick" Francis; Jeff Harris, Student Regent; John Huffaker; Mickey L. Long; Nancy R. Neal; John Field Scovell; Daniel T. Serna; and Jerry Turner, Vice Chairman.

The following officers and staff were present: Mr. Kent Hance, Chancellor, TTUS; Dr. Guy Bailey, President, TTU; Dr. Joseph Rallo, President, ASU; Dr. Tedd Mitchell, President, TTUHSC; Mr. Ben Lock, Executive Assistant to the Chancellor and Secretary of the Board, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Mr. Jim Brunjes, 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; Dr. James Limbaugh, Vice President for Strategy, Planning and Policy, ASU; Dr. Vance Valerio, Vice President for Student Affairs and Enrollment

Management, ASU; Dr. Anthony Blose, Academic Affairs Provost and Vice President, ASU; Dr. Bob Smith, Provost and Senior Vice President for Academic Affairs, TTU; Dr. Taylor Eighmy, Vice President for Research, TTU; Dr. Rial Rolfe, Vice President for Academic Services, TTUHSC; Dr. Michael Shonrock, Senior Vice President for Student Affairs and Enrollment Management, TTU; Mr. Michael Molina, Vice Chancellor for Facilities Planning and Construction, TTUS; Mrs. Kim Turner, Chief Audit Executive, TTUS; Dr. Kelly Overley, Vice Chancellor for Institutional Advancement, TTUS; Mr. Jodey Arrington, Chief of Staff, Office of the Chancellor, TTUS; Dr. John Opperman, Vice Chancellor for Policy and Planning, TTU; Mr. David Miller, Vice Chancellor for Technology Transfer, TTUS; Mr. Drew Graham, President, Student Government Association, TTU; Mr. Geoffrey Lowe, President, Student Government Association, TTUHSC; and Mrs. Christina Martinez, Assistant Secretary to the Board of Regents, TTUS.

- V. CALL TO ORDER; RECONVENE INTO OPEN SESSION OF THE BOARD.— Chairman Anders announced a quorum present and called the meeting to order.
- VI. OPEN SESSION.— At approximately 10:38 am on Friday, October 15, the Board continued meeting in open session in the Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas, to consider items as a Board and in the Committee of the Whole.
- VI.A. APPROVAL OF MINUTES.— Chairman Anders asked for approval of the minutes of the board meeting held on August 5-6, 2010. Regent Long moved for their approval. Regent Francis seconded the motion, and the motion passed unanimously.
- VI.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.
- VI.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:
- VI.B.1.a. ASU: Approve the addition of the Bachelor of Border Security degree with a major in Border Security in the College of Liberal and Fine Arts.— The Board approved the new degree program for the Bachelor of Border Security degree with a major in Border Security in the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts and authorized

submission by the Office of the Provost and Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a program. This request was approved administratively by the president and the chancellor.

Implementation of this new program will not require additional space or facilities. The cost of the program for these new curricula will be covered initially by funding from the Department of Defense during the first five years of the program and will not exceed \$2 million. The institution has calculated enrollment projections that reflect student demand estimates to ensure financial self sufficiency by the end of the program's fifth year. Two new faculty positions are requested for this program, one in the first year (time assigned to program – 50 percent) and one in the second year (time assigned to program – 50 percent). The program will be administered through the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts.

- VI.B.1.b. ASU: Approve the addition of the Bachelor of Cultural Competence and Security Studies degree with a major in Cultural Competence and Security Studies in the College of Liberal and Fine Arts.—
The Board approved the new degree program for the Bachelor of Cultural Competence and Security Studies degree with a major Cultural Competence and Security Studies in the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts and authorized submission by the Office of the Provost and Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a program. This request was approved administratively by the president and the chancellor.

Implementation of this new program will not require additional space or facilities. The cost of the program for these new curricula will be covered initially by funding from the Department of Defense during the first five years of the program

and will not exceed \$2 million. The institution has calculated enrollment projections that reflect student demand estimates to ensure financial self sufficiency by the end of the program's fifth year. Three new faculty positions are requested for this program in the first year, two faculty (time assigned to program – 35 percent each) and one faculty (time assigned to program – 25 percent, Department of Modern Languages). The program will be administered through the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts.

- VI.B.1.c. ASU: Approve the addition of the Bachelor of Cultural Fluency and Security Studies degree with a major in Cultural Fluency and Security Studies in the College of Liberal and Fine Arts.—The Board approved the new degree program for the Bachelor of Cultural Fluency and Security Studies degree with a major in Cultural Fluency and Security Studies in the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts and authorized submission by the Office of the Provost and Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a program. This request was approved administratively by the president and the chancellor.

Implementation of this new program will not require additional space or facilities. The cost of the program for these new curricula will be covered initially by funding from the Department of Defense during the first five years of the program and will not exceed \$2 million. The institution has calculated enrollment projections that reflect student demand estimates to ensure financial self sufficiency by the end of the program's fifth year. Three new faculty positions are requested for this program in the first year, two faculty (time assigned to program – 35 percent each) and one faculty (time assigned to program – 25 percent, Department of Modern Languages). The program will be administered through the Department of

Political Science and Criminal Justice within the College of Liberal and Fine Arts.

- VI.B.1.d. ASU: Approve the addition of the Master of Science degree with a major in Border Security in the College of Liberal and Fine Arts.—The Board approved the new degree program for the Master of Science degree with a major in Border Security in the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts and authorized submission by the Office of the Provost and Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a program. This request was approved administratively by the president and the chancellor.

Implementation of this new program will not require additional space or facilities. The cost of the program for these new curricula will be covered initially by funding from the Department of Defense during the first five years of the program and will not exceed \$2 million. The institution has calculated enrollment projections that reflect student demand estimates to ensure financial self sufficiency by the end of the program's fifth year. Two new faculty positions are requested for this program, one in the first year (time assigned to program – 25 percent) and one in the second year (time assigned to program – 25 percent). The program will be administered through the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts.

- VI.B.1.e. ASU: Approve the addition of the Master of Science degree with a major in Criminal Justice in the College of Liberal and Fine Arts.—The Board approved the new degree program for the Master of Science degree with a major in Criminal Justice in the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts and authorized submission by the Office of the Provost and Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a

program. This request was approved administratively by the president and the chancellor.

Implementation of this new program will not require additional space or facilities. The cost of the program for these new curricula will not exceed \$2 million. Two new faculty positions are requested for this program, one in the first year (time assigned to program – 25 percent) and one in the second year (time assigned to program – 25 percent). The cost of the faculty positions will be covered initially by funding from the Department of Defense during the first five years of the program. The institution has calculated enrollment projections that reflect student demand estimates to ensure financial self sufficiency by the end of the program's fifth year. The program will be administered through the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts.

- VI.B.1.f. ASU: Approve the addition of the Master of Security Studies degree with a major in Security Studies in the College of Liberal and Fine Arts.—
The Board approved the new degree program for the Master of Security Studies degree with a major in Security Studies in the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts and authorized submission by the Office of the Provost and Vice President for Academic Affairs to the Texas Higher Education Coordinating Board seeking its approval for such a program. This request was approved administratively by the president and the chancellor.

Implementation of this new program will not require additional space or facilities. The cost of the program for these new curricula will be covered initially by funding from the Department of Defense during the first five years of the program and will not exceed \$2 million. The institution has calculated enrollment projections that reflect student demand estimates to ensure financial self sufficiency by the end of the program's fifth year.

Two new faculty positions are requested for this program, both in the first year (time assigned to program – 30 percent per position). The program will be administered through the Department of Political Science and Criminal Justice within the College of Liberal and Fine Arts.

- VI.B.1.g. TTU: Approve a Master of Science in Arid Land Studies in the Graduate School.—The Board approved a Master of Science degree program in Arid Land Studies in the Graduate School and authorized submission by the Office of the Provost and the Senior Vice President to the Texas Higher Education Coordinating Board for public comment and the Southern Association of Colleges and Schools Commission on Colleges for their approval. This request was approved administratively by the president and the chancellor.

Implementation of this new program will require no additional space, facilities or equipment because this interdisciplinary program utilizes existing courses and instructors who are already members of the Texas Tech University faculty. Partial funding to support the program will come from a grant from the U.S. Department of Education (a grant that totals \$420,000 over five years—\$84,000 per year). The program will be administered through the Graduate School. The institution has calculated enrollment projections that reflect student demand estimates, to ensure financial self-sufficiency by the end of the program's fifth year. The enrollment estimates account for 6 program-subsidized students added per year during the first 4 years, with at least 2 additional students per year joining the program through internal recruitment. As a result of the external recruitment efforts, student interest from West Texas and nearby regions will increase enrollment not only during the first 5 years, but in the future.

- VI.B.1.h. TTU: Approve leave of absence.—The Board approved the following leave of absence. This

request was approved administratively by the president and the chancellor.

Leave without pay for Robert Meeds, associate professor, College of Mass Communications, for the period of January 15, 2011 through May 31, 2011. The purpose of this leave is to allow Professor Meeds to work on an international program initiative, to recruit graduate students, while teaching the spring term at Qatar University. This leave will be taken in Doha, Qatar.

VI.B.1.i. ASU: Approve the reclassification of the quasi-endowment funds to designated funds.—The Board approved the reclassification from the Quasi-endowment Fund to Designated Funds for the Angelo State University-San Angelo Junior College (ASU-SAJC) Principal Fund for \$203,271.74 and the Leboutillier Principal Fund for \$194,566.64 for a total of \$397,838.38. The reclassification of these two funds will be used to fund negative balances as discretionary funds. This request was approved administratively by the president and the chancellor.

VI.B.1.j. TTU: Approve modification and creation of quasi endowments for the College of Engineering.—The Board authorized the transfer of \$1.5 million from the AT&T Academic Excellence Texas Research Incentive Program (“TRIP”) Quasi Endowment, Account T613873, to create the new Whitacre Department Chair in Chemical Engineering Quasi Endowment. This request was approved administratively by the president and the chancellor.

The AT&T Academic Excellence TRIP Quasi Endowment, Account T613873, was created by matching funds of \$9,020,700.00 received pursuant to the Texas Research Incentive Program stemming from a previous gift from the AT&T Foundation.

VI.B.1.k. TTU: Accept major gift-in-kind to Information Technology.—The Board approved to accept the following gift-in-kind for the benefit of Information Technology: a credit valued at \$1,723,324 from

Dell, of Round Rock, Texas. This request was approved administratively by the president and the chancellor.

The one-time credit of \$1,723,324 will be used towards the total acquisition cost of \$3,722,684 for enhancing and expanding the High Performance Computing capabilities at Texas Tech University. The Dell credit of \$1,723,324 plus Texas Tech University purchase orders totaling \$1,999,360 satisfies the total acquisition cost of \$3,722,684 for the project.

VI.B.1.i. TTU: Accept major gift-in-kind to Geosciences.— The Board approved to accept the following gift-in-kind for the benefit of Geosciences: PetroMod Software from Schlumberger Information Solutions of Houston, Texas. PetroMod software valued at \$6,405,120, is industries standard software used by geologists and geophysicists for production, exploration and research in the oil and gas industries. This request was approved administratively by the president and the chancellor.

VI.B.1.m. TTU: Approve athletic facilities video screen and scoreboard upgrade project.— The Board authorized the Department of Intercollegiate Athletics to engage Daktronics, Inc. to upgrade the video screen at Jones AT&T Stadium and the center-hung scoreboard at the United Spirit Arena. With the Board's approval of the financing method, the Athletics Department will update the video screen at the north end of Jones AT&T Stadium, as well as retrofitting the center-hung scoreboard at the United Spirit Arena. This request was approved administratively by the president and the chancellor.

The total cost for both projects will be \$859,500.

- a. North end video screen upgrade: \$760,000
- b. Arena center hung scoreboard retrofit: \$ 99,500

The project will be funded through the Revenue Finance System repaid with monies from the

Athletics Department operating budget or gift funds.

It was further recommended that the board acknowledge that it expects to pay expenditures in connection with the purchase of the equipment 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 the original expenditures, advanced in connection with the purchase, an aggregate maximum principal amount expected to be \$859,500.

VI.B.1.n. TTU: Approve financing for Energy Conservation Project.—The Board approved the use of the Revenue Finance System to finance an upgrade to the central heating and cooling plant (“CHACP I”) servicing Texas Tech University and delegated authority to the chancellor to proceed with the financing process. This request was approved administratively by the president and the chancellor.

Total project cost will be \$700,000 and would have an estimated energy savings of \$222,000 per year with anticipated payback of 3.2 years. Debt service requirements will be met by charging end-users on a pro-rated basis based upon their total usage of manufactured utilities.

It was further recommended that the board acknowledge that it expects to pay expenditures in connection with the purchase of the equipment 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 the original expenditures, advanced in connection with the purchase, an aggregate maximum principal amount expected to be \$700,000.

- VI.B.1.o. TTU: Approve financing for utility infrastructure upgrade.—The Board approved the use of the Revenue Finance System to finance an upgrade to the central heating and cooling plant (“CHACP II”) servicing Texas Tech University (“TTU”) and Texas Tech University Health Sciences Center (“TTUHSC”) and delegated authority to the chancellor to proceed with the financing process. This request was approved administratively by the president and the chancellor.

Total project cost will be \$900,000 and would create the necessary emergency power for TTU and TTUHSC. Debt service requirements will be met by charging end-users on a pro-rated basis based upon their total usage of manufactured utilities.

It was further recommended that the board acknowledge that it expects to pay expenditures in connection with the purchase of the equipment 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 the original expenditures, advanced in connection with the purchase, an aggregate maximum principal amount expected to be \$900,000.

- VI.B.1.p. TTU: Approve commissioning of police officers.—The Board approved to commission the following individuals as police officers, effective on the date indicated below. This request was approved administratively by the president and the chancellor.

John Poirier, effective July 15, 2010
Roy Martinez, effective July 15, 2010

VI.B.1.q. TTUSA, TTU and TTUHSC: Approve delegation of signature authority.—The Board approved, in accordance with *Texas Government Code*, Sec. 2103.061, 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 the Texas Tech University System Administration, 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 October 15, 2010, and to continue until August 31, 2011, 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 the Texas Tech University System Administration, 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 October 15, 2010, and to continue until August 31, 2011, 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 October 15, 2010 and to continue until August 31, 2011 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 Texas Tech University's Cashier's Account, effective October 15, 2010 and to continue until August 31, 2011, 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 previously approved and including the individual listed below who may sign:

Grace Hernandez, Chief of Staff
and Interim Assistant Vice
President, Human Resources

- (5) To sign and/or countersign cashier's checks drawn on the university's Cashier's Account, effective October 15, 2010, and to continue until August 31, 2011 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 in addition to those previously approved:

Grace Hernandez, Chief of Staff
and Interim Assistant Vice
President, Human Resources

- (6) To authorize transfer by wire or other means, of funds between Texas Tech University depositories, effective October 15, 2010, and

to continue until August 31, 2011, 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 in addition to those previously approved:

Grace Hernandez, Chief of Staff
and Interim Assistant Vice
President, Human Resources

- (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 previously approved and including the individual listed below, effective October 15, 2010, and to continue until August 31, 2011, or until such time as they are separated from the university or assigned other duties or responsibilities:

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 October 15, 2010, and to continue until August 31, 2011, 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 October 15, 2010, and to continue until August 31, 2011, 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 previously approved and including the individuals listed below who may sign:
- (10) To authorize transfer, by wire or other means, of funds between Texas Tech University Health Sciences Center depositories, effective October 15, 2010, and to continue until August 31, 2011, or until such time as they are separated from the Texas Tech University System or assigned other responsibilities, whichever comes first.

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 previously approved, effective October 15, 2010, and to continue until August 31, 2011, or until such time as they are separated from the Texas Tech University System or assigned other duties of responsibilities, whichever comes first:

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 employees previously approved.

Information Agenda

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

- (1) 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 \$500,000 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) 95086-7A Hendrick Medical Center Inc; amendment to agreement for On site health care services at Middleton unit; \$2,696,826.00 annually.
 - (b) 09287-1 El Paso County Clinical Services Inc; renewal of "Residents Agreement ... "; an increase of \$48,000.00 to \$11,006,710.00 annually.
 - (c) 98136-12 University Medical Center - UMC Lubbock; renewal "Master Coordinating Agreement 2010-2011"; \$25,224,315.00.
 - (d) 93318-1N Blue Cross Blue Shield of Texas - BCBS; amendment to "Group Managed Care Agreement", PPO, Primary and Specialty Care, all campuses; Attachment I regarding; \$8,503,000.00 annually.
 - (e) 93318-1M Blue Cross Blue Shield of Texas - BCBS; amendment to "Group Managed Care Agreement" "Amendment 7..." to add new Attachment A-3 w/Exhibit 1 for El Paso; \$7,124,000.00 annually.
 - (f) 03094-J Texas Department of State Health Services; amendment to extend for three years the "Agreement ... for Psychiatric Medical Services" [inpatient] "Amendment No. 10"; \$856,828.00 annually.
 - (g) 09455-B El Paso County Clinical Services Inc; amendment to extend for one year the "Medical Director and Professional Radiology Services Agreement" "Second Amendment" UK -10-19; \$1,974,000.00 annually.
 - (h) 09508-1A Ulysses Holdings Ltd; amendment to "Professional Services Agreement", after-hours licensed physician coverage ... at Montford ... (RMF); \$622,140.00 annually.
 - (i) 09162-3 Permian Basin Clinical Services; renewal "Addendum to Master Coordinating Agreement for FACULTY funding", RE Midland Memorial Hospital; \$2,032,392.00 annually.
 - (j) 09162-3A Permian Basin Clinical Services; renewal "Addendum to Master Coordinating Agreement for RESIDENT funding", RE Midland Memorial Hospital; \$3,033,598.00 annually.

- (2) ASU, TTU, TTUHSC and TTUS: Contracts for the services of a consultant with an initial consideration of \$25,000 or less per Section 07.12.2.d(2)(b), *Regents' Rules*: "A report of the contract shall be provided as an Information Agenda item at the next board meeting."

ASU:

- (a) Ms. Lucy Deckard, Academic Research Funding Strategies, LLC; \$3,680. The ASU Office of Sponsored Projects hosted a Proposal Development Institute for ASU Faculty. Ms. Deckard, a proposal development specialist, provided professional services for the 2 ½ day development institute. As the principal speaker, moderator, and one-on-one consultant for the institute, Ms. Deckard 1) developed and presented a series of presentations on various aspects of proposal development, 2) worked one-on-one with participants throughout the institute to help develop their proposal and how to determine review criteria, and 3) provided feedback during the institute on the participants' proposal drafts. Term of contract: August 1 to 31, 2010.

TTU:

- (a) Dr Marek Pyda; \$3,500. **Responsible Administrator:** Sindee Simon; **Selection Process:** Prof. Pyda was selected because he is the only expert in thermal analysis capable of performing the measurements, visiting our laboratory for the month of September, 2011, and working with and supervising the graduate students in the Dr. Simon's laboratory to ensure that they perform their measurements correctly. Prof. Pyda's current position is as Professor of the Department of Chemistry at the University of Technology in Rzeszow, Poland. He has over fifteen years experience in the field and was trained by the leading scientist in the area, Prof. B. Wunderlich, now retired. Prof. Pyda maintains the world-reknown ATHAS Data Bank of calorimetric data. He has published over 50 refereed journal papers, has nearly 1000 citations, and has an h-index of 17. **Purpose:** Thermal analysis consultant. Perform temperature-modulated DSC experiments using TOPEM on Mettler Toledo DSC for a series of chalcogenide glass-forming materials. Perform dynamic and isothermal aging experiments on Perkin Elmer Pyris 1 DSC for same samples. Supervise graduate students using DSC and teach the students TOPEM. **Deliverables:** Data and relevant analyses for a series of five chalcogenide glass-forming samples: T_g and T_f' vs cooling rate; T_f and H_a vs aging time; Absolute heat capacity vs T. **Term of Contract:** 09/1/2010 to 09/30/2010.
- (b) Edwin Rugg and Gerard Dizinno; \$5,000 per consultant. **Responsible Administrator:** Valerie Paton, Ph.D.; **Selection Process:** The two consultants selected would qualify as sole providers. They were recommended in December 2007 by Joseph Silver, Vice President, SACSCOC, to assist with Texas Tech's probationary status. They were contracted as consultants in 2008 and provided invaluable information in support of our successful SACSCOC Third Monitoring Report, resulting in removal from probation. After working with the Chancellor's Office on the System Strategic Plan, *Leading the Way*, a strategy

was identified under Priority 5 and approved at the February 2010 Board of Regents meeting. **Purpose:** Assess and improve institutional effectiveness ; integration of data, assessment and evaluation, planning and resource allocation (see attached Scope of Work). **Deliverables:** **Deliverables:** 1) Two day campus visit meeting with a broad range of academic and administrative leadership responsible for compliance with SACSCOC Standards related to Institutional Effectiveness; 2) A written report, jointly produced, of their findings that addresses the strengths and weaknesses of TTU's IE support systems in the context of the likelihood that those IE support systems can and will contribute to the success of TTU's achievement of its new mission and strategic goals as well as the success of TTU's upcoming Fifth-Year and Compliance reports for SACSCOC. The consultants will also include in their report specific suggestions for changes and improvements in TTU's IE support processes to increase their value and contributions to the university's future success and quality enhancement. **Term of Contract:** July 11, 2010 to July 31, 2010 (or submission of report, whichever date is earlier)

- (c) TRAC Media; \$12,000. **Responsible Administrator:** Michelle Dillard. **Selection Process:** Not applicable. **Purpose:** To provide assistance in developing and maintaining ongoing television strategies to maximize the effectiveness of KTXT-TV. **Deliverables:** Bi-monthly e-mail and telephone reports; **Term of Contract:** September 10, 2010 to September 9, 2011.

TTUHSC:

- (a) 10539-0 Vickie L. Radoye; consulting contract, RE: School of Nursing Student Affairs Redesign Task Force; \$1,500.00;
(b) 10614-0 Partners in Medical Education, Inc; consulting contract, RE: Paul L Foster School of Medicine Institutional Review Document for ACGME accreditation; \$6,000.00.

TTUS:

- (a) Rebekah Gladson/RGroup, Inc.; with a maximum contract amount of \$25,000,(expected cost to date is \$20,000); will meet with Vice Chancellor, Mr. Molina, to provide an assessment of Team Talent, analysis of operating and processing procedures, an overall fiscal review of organization and overall business strategy. Will provide Mr. Molina recommendations in a letter report with associated documentation of review in each category. Contract began on July 28, 2010 and scope of work anticipated to be complete 60 days from begin date.

- (3) ASU and TTU: Reports of Student Enrollment and Academic Performance per Section 51.403.(a) & (b), *Texas Education Code*: "(b) After the end of each spring semester the chief executive officer of each institution shall provide its governing board a report for the preceding fall and spring semesters indicating for each instructor the number of students enrolled in each class, the number of semester-credit hours accrued to each course, the course number and title, the department in which the course is offered, and the identity and academic rank of the instructor. (c) A report prepared under Subsection (b) of this section

must compare student enrollments in each class on the last day of each semester with enrollments at the beginning of that semester.”

- (a) ASU: Last Class Day Report Spring 2010 (available for review upon request).
- (b) TTU: Last Class Day Report Spring 2010 (available for review upon request).

- (4) ASU and TTU: Small classes approved at ASU and TTU per Section 51.403(d), *Texas Education Code*: “(d) Each institution shall file with its governing board and the coordinating board a small class report, excluding individual instruction courses, indicating department, course number, title of course, and the name of the instructor. "Small classes," for the purpose of this report, are undergraduate-level courses with less than 10 registrations, and graduate-level courses with less than 5 registrations. No small classes shall be offered in any institution except as authorized by the appropriate governing board, within the guidelines established by the Coordinating Board.”

- (a) ASU: Small Class Report, Fall 2009 (available for review upon request).
- (b) ASU: Small Class Report, Spring 2010 (available for review upon request).
- (c) TTU: Small Class Report, Fall 2009 (available for review upon request).
- (d) TTU: Small Class Report, Spring 2009 (available for review upon request).

- (5) TTUS: Selection of Investment Managers per Section 13.2, LTIF Investment Policy Statement: “The CIO, based on recommendations from the IAC, is authorized to hire and terminate external investment managers .. b) Investment managers hired under this delegation will be reported as an Information Agenda item at the next Board meeting.”

- (a.) TTUS: Report on the Engagement of EnCap Investments as Investment Manager.

The Investment Advisory Committee (“IAC”) met on August 27 and recommended the following investment fund for hire by the Chief Investment Officer (CIO):

EnCap Energy Capital Fund VIII, LP – illiquid real asset fund investing in oil & gas through independent companies with proved reserves. The System has previously invested in EnCap Fund’s IV through VII.

The motion was seconded and passed unanimously.

VI.B.2. TTUS: Approve resolution honoring Former Regent Clint Formby.—The Board approved the following resolution in honor of Clint Formby:

WHEREAS, The Board of Regents of the Texas Tech University System is proud to recognize former Board of Regents Chairman Clint Formby for his many accomplishments and service to Texas Tech University; and

WHEREAS, Former Chairman Formby proudly served two terms as a member of the Board of Regents from 1971-1977 and from 1977-1983, serving as vice chairman from 1972-1974 and chairman from 1974-1976, for a total of 12 years of service; and

WHEREAS, Former Chairman Formby worked to establish a medical school and school of law at Texas Tech University; and

WHEREAS, Former Chairman Formby served as a member and then chairman of the Mass Communications Advisory Committee, working to establish the Department of Mass Communications; and

WHEREAS, Former Chairman Formby also served as president of Texas Tech Ex-Students Association, now the Texas Tech Alumni Association, as well as a board member and then chairman of the National Ranching Heritage Center; and

WHEREAS, Former Chairman Formby was recognized with a classroom named in his honor in the Mass Communications building and with his induction into the College of Mass Communications Hall of Fame in 1984 for his advocacy of Texas Tech and his pioneer work in the Texas radio broadcasting industry; and

WHEREAS, The Board of Regents offers expressions of profound gratitude for such dedication, service and passion; now, therefore, be it

RESOLVED, That the Board of Regents of the Texas Tech University System on this date, October 15, 2010, do hereby extend its heartfelt appreciation to the family of Clint Formby for his loyalty and character; and, be it further

RESOLVED, That a copy of this Resolution be prepared for the family of Clint Formby as an expression of high regard from the Board of Regents.

VII. REPORTS OF STANDING COMMITTEES.—At approximately 10:46 am, at the direction of Chairman Anders, Standing Committee reports were presented sequentially to the Committee of the Whole.

VII.A. REPORT OF THE ACADEMIC, CLINICAL AND STUDENT AFFAIRS COMMITTEE

Committee Chairman Anders reported that the Academic, Clinical and Student Affairs Committee met in open session on October 15, 2010 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.

VII.A.1. TTU and TTUHSC: Report by the Cancer Prevention and Research Institute of Texas.—The Board accepted a report from Mr. Jimmy Mansour, Chairman, Cancer Prevention and Research Institute of Texas (“CPRIT”) regarding the recent awards presented to Texas Tech University and Texas Tech University Health Sciences Center from the CPRIT.

VII.A.2. TTUHSC: Confer emeritus appointment.—The Board approved to confer the title of professor emeritus on Raymond J. Bagg, M.D., professor of Orthopaedic Surgery and Rehabilitation at the Paul L. Foster School of Medicine (“PLFSOM”), for his 33 years of distinguished service to the Texas Tech University Health Sciences Center.

VII.A.3. TTUHSC: Progress report and authorization to proceed with obtaining accreditation and other regulatory approvals for a freestanding School of Nursing in El Paso.—The Board accepted a progress report regarding the establishment of a freestanding School of Nursing in El Paso and authorized the Texas Tech University Health Sciences Center (“TTUHSC”) to move forward with obtaining the necessary accreditation and related approvals from regulatory authorities for the establishment of a freestanding School of Nursing in El Paso.

VII.B. REPORT OF THE AUDIT COMMITTEE

Committee Chairman Serna reported that the Audit Committee met in open session on October 15, 2010 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.

VII.B.1. TTUS: Report on audits.—The Board accepted a report on the System’s audit projects, included herewith as Attachment No. 1.

VII.C. REPORT OF THE FACILITIES COMMITTEE

Committee Chairman Francis reported that the Facilities Committee met in open session on October 15, 2010 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.

VII.C.1. TTUS: Approve naming of Jones AT&T Stadium entrances.—The Board approved the naming of four of the Jones AT&T Stadium entrances. Each donor concurs with the naming of their specified entrance. Regents Larry Anders and Mickey Long recused themselves from and were not present in the room for discussion and approval of this item.

All namings meet the requirement of donation of at least 50 percent of the project’s cost as stated in *Regents’ Rule*, Section 08.05.

Entrance 1
Larry K. and Nesa L. Anders Family

Entrance 2
Mickey and Renee Long Family

Entrance 5
Plains Capital Bank

Entrance 6
David H. Arrington

The TTU Approve Naming of Jones AT&T Stadium Entrances PowerPoint is included herewith as Attachment No. 2.

- VII.C.2. TTU: Approve naming of Research Suite in College of Human Sciences.—The Board approved naming the Research Suite in the College of Human Sciences the “Iva Lea Barton Research Suite.” The donor concurs with the naming of this facility.

The naming meets the requirement of donation of at least 50 percent of the project’s total cost as stated in *Regents’ Rule*, Section 08.05.

A 1944 graduate in Home Economics Education, Mrs. Barton was president of two radio broadcasting companies and continues to be involved in commercial real estate. She feels as if her experiences in the College of Human Sciences were major factors in her success in business. Mrs. Barton has generously funded two other projects in early childhood education.

- VII.C.3. TTU: Approve the naming of a classroom with library collection within the Gordon W. Davis Meat Science Laboratory.—The Board approved naming Room 122 in the Gordon W. Davis Meat Science Laboratory the “Dr. C. Boyd Ramsey Meat Science Classroom and Library.”

Dr. C. Boyd Ramsey was an exemplary faculty member in the Meat Science Program and a donor to the Animal and Food Sciences Program. From its inception in 1933 until 1978, the Meat Science Program at Texas Tech had only one professor at a time. The University hired Dr. Ramsey in 1968. In 1978, he was able to hire a second professor (Dr. Gordon W. Davis) to assist with the program and to coach the meat judging team. Dr. Ramsey remained at Texas Tech University for 30 years until his retirement in 1998.

Dr. Ramsey’s hard work and vision helped the Texas Tech Meat Science Program rise to national prominence over a period of decades. During his time at Texas Tech, world and nationally-renowned teachers and researchers were invited and visited the Department of Animal and Food Sciences. Dr. Ramsey was responsible for hiring Dr. Gordon W. Davis who brought the first Meat Judging National Championship to Texas Tech.

Dr. Ramsey and his family have given an Endowment of more than \$55,000 to help fund scholarships and other support to students in the Animal and Food Sciences Department.

- VII.C.4. TTU: Approve a project to renovate the PrinTech Building for Exercise Science Center (ESC).—The Board approved to (i) proceed with a project to program and plan a renovation of the PrinTech Building for the Exercise Science Center (“ESC”), with a project budget of \$2,000,000; and (ii) award a design/build contract. The project will be funded with Higher Education Assistance Funds (“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 TTU Approve a Project to Renovate the PrinTech Building for the Exercise Science Center PowerPoint is included herewith as Attachment No. 3.

- VII.C.5. TTUHSC: Approve the purchase of improved real property in El Paso.—The Board authorized the president to (i) establish a total project budget of \$1,395,000.00; (ii) negotiate and execute an agreement to purchase approximately 0.7069 acres of land with three buildings having approximately 7,303 gross square feet (“GSF”) and associated movable equipment, located at 1201 Schuster Avenue, El Paso, Texas, in order to provide additional clinical and teaching space to support the growing diabetics patient load; and (iii) obtain approval for the acquisition from the Texas Higher Education Coordinating Board. The purchase will be funded with Medical Practice Income Plan (“MPIP”) funds.

Within the total project budget, the three buildings and associated land are valued at \$1,145,000 per certified appraisal by Gonzalo Laje & Associates. The value of the movable equipment is pending appraisal with a maximum purchase price of \$250,000.

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

The TTUHSC Approve the Purchase of Improved Real Property in El Paso PowerPoint is included herewith as Attachment No. 4.

- VII.C.6. TTUS: Approve a planning budget to assist in the conceptual campus development for residential student housing.—The Board authorized the Office of Facilities Planning and Construction to (i) establish a planning budget of \$750,000 funded through the Revenue Finance System repaid with Housing and Hospitality Revenue and Fund Balances, and (ii) develop a conceptual master plan in conjunction with a real estate feasibility analysis that will support such development. The housing portion of the complex would be Texas Tech University built, owned and operated; with the development of support and retail options surrounding the housing units potentially being funded and managed by private entities.

It was further recommended that the board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board 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 \$750,000.

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 TTUS Approve a Planning Budget to Assist in the Conceptual Campus Development for Residential Student Housing PowerPoint is included herewith as Attachment No. 5.

Following discussion, Regent Francis moved to approve the \$750,000 planning budget to further study the University's need for additional on-campus student housing, but in conducting this study, the Facilities Committee will work with the senior staff to come up with the requirements of the RFP and the scope of the project to ensure that Tech's housing needs are met. In December, the Facilities Committee will

articulate its findings and recommendations to the Board regarding the best course of action.

- VII.C.7. TTUS: Report on Facilities Planning and Construction projects.—The Board accepted a report on the Facilities Planning and Construction's reorganization and managed projects.

The Bricks and Mortar report is included herewith as Attachment No. 6.

- VII.D. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE
Committee Chairman Scovell reported that the Finance and Administration Committee met in open session on October 15, 2010 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.

- VII.D.1. ASU: Authorize the use of services.—The Board authorized an agreement to use Noel-Levitz® to provide advisory services with regards to enhancing strategic recruitment, retention and graduation of Hispanic students in order to strengthen Angelo State University's continued status as a Hispanic-Serving Institution; enhance strategic recruitment of students with 21-24 ACT or 990-1140 SAT; enhance strategic efforts with retention of all students; and enhance strategic use of Carr Academic Scholarship in conjunction with other financial aid assets to achieve enrollment goals.

- VII.D.2. TTUS: Authorize engagement of search firm for director of Development position for the Texas Tech University Rawls College of Business.—The Board authorized the vice chancellor of Institutional Advancement to engage Management Development Search to conduct a national search for the position of Director of Development for the Texas Tech University Rawls College of Business. Management Development Search's service fee is on a contingency basis and is payable if, and only if, Texas Tech engages the services of a candidate that is referred, directly or indirectly, through the efforts of Management Development Search. Service fee is 30 percent of total estimated gross compensation to be earned by the candidate during the candidate's first twelve (12) months of employment. The cost is expected to be \$35,000 or less should the Texas Tech

University System hire a candidate referred by Management Development Search.

This service fee will be funded with budgeted funds in the Rawls College of Business.

- VIII. OPEN SESSION.—At approximately 10:51 am the Board continued in open session in the Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas, to consider items as the Committee of the Whole and Meeting of the Board.
- VIII.A. SCHEDULE FOR BOARD MEETINGS.—Mr. Lock presented the following schedule for future board meetings: December 16-17, 2010; February 24-25, 2011 (San Angelo); May 12-13, 2011; August 4-5, 2011; October 27-28, 2011; and December 15-16, 2011.
- VIII.B. CHANCELLOR'S REPORT.—Chairman Anders called on Chancellor Hance, who presented the Chancellor's Report, included herewith as Attachment No. 7.
- VIII.C. THE PRESIDENT'S REPORT, TTU.—Chairman Anders called on President Bailey, who presented the President's Report, included herewith as Attachment No 8.
- VIII.C.1 REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTU.—Chairman Anders called on Mr. Drew Graham, president, Student Government Association, TTU, who presented a report from the Student Government Association, included herewith as Attachment No. 9.
- VIII.D. THE PRESIDENT'S REPORT, TTUHSC.—Chairman Anders called on President Mitchell, who presented the President's Report, included herewith as Attachment No. 10.
- VIII.D.1 REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTU.—Chairman Anders called on Mr. Geoffrey Lowe, president, Student Government Association, TTUHSC, who presented a report from the Student Government Association, included herewith as Attachment No. 11.
- VIII.E. THE PRESIDENT'S REPORT, ASU.—Chairman Anders called on President Rallo, who presented the President's Report, included herewith as Attachment No. 12.
- VIII.E.1 REPORT BY STUDENT GOVERNMENT ASSOCIATION, ASU—Chairman Anders called on Student Regent Jeff Harris

who presented a report behalf of the ASU Student Government Association, included herewith as Attachment No. 13.

- IX. EXECUTIVE SESSION.—At approximately 11:36 am, the Board recessed and convened into Executive Session as authorized by Sections 551.071; 551.073; and 551.074 of the *Texas Government Code* in the Masked Rider Room, Room 220, Second Floor, Student Union Building, 15th Street and Akron Avenue.
- IX.A. RECESS—Chairman Anders recessed the Executive Session discussions at 12:30 pm for a lunch break.
- IX.B. EXECUTIVE SESSION.—At approximately 1:15 pm, the Board reconvened into Executive Session as authorized by Sections 551.071; 551.073; and 551.074 of the *Texas Government Code* in the Masked Rider Room, Room 220, Second Floor, Student Union Building, 15th Street and Akron Avenue
- X. OPEN SESSION.—At approximately 2:42 pm, the Board continued in open session in the Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas, to consider items as a Committee of the Whole and Meeting of the Board.
- X.A. REPORT OF EXECUTIVE SESSION.—Chairman Anders called on Vice Chair Turner to present motions regarding items discussed in Executive Session.

Vice Chairman Turner announced there was one motion resulting from Executive Session.

- X.A.1. Regent Turner moved that the Board of Regents authorize the General Counsel to resolve the matter discussed in Executive Session within the parameters discussed and authorized. Regent Francis seconded the motion.

No action was taken on other matters that were discussed in Executive Session, which included:

Consultation with Attorney:

- Report and update on pending and potential litigation involving Texas Tech University, Texas Tech University Health Sciences Center, and Angelo State University;
- Discussion of ongoing contract negotiations and contractual commitments of Texas Tech University;
- Consideration of pending and potential litigation; and
- Consult with and seek the advice of legal counsel.

Prospective Gifts:

- Deliberate a negotiated contract and value of a prospective gift of real property to Texas Tech University

Personnel Matters:

- Discussion of personnel performance, resignations, and actions associated with the reorganization of a Texas Tech University department;
- Performance evaluations; and
- Review of employment agreements.

X.B. CHAIRMAN'S ANNOUNCEMENTS.—Chairman Anders asked if there were any announcements. No announcements were made.


XI. ADJOURNMENT.—Chairman Anders adjourned the meeting at approximately 2:43 pm.

INDEX OF ATTACHMENTS

Attachment 1	TTUS Prioritized Audit Plan FY 2011
Attachment 2	TTU Approve Naming of Jones AT&T Stadium Entrances PowerPoint
Attachment 3	TTU Approve a Project to Renovate the PrinTech Building for the Exercise Science Center
Attachment 4	TTUHSC Approve the Purchase of Improved Real Property in El Paso
Attachment 5	TTUS Approve a Planning Budget to Assist in the Conceptual Campus Development for Residential Student Housing
Attachment 6	Bricks and Mortar Report
Attachment 7	Chancellor's Report
Attachment 8	TTU President's Report
Attachment 9	TTU SGA President's Report
Attachment 10	TTUHSC President's Report
Attachment 11	TTUHSC SGA President's Report
Attachment 12	ASU President's Report
Attachment 13	ASU SGA President'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 October 15, 2010.

SEAL



Ben Lock
Secretary