

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
October 27, 2006

Friday, October 27, 2006.—The members of the Board of Regents of the Texas Tech University System convened at 8:36 a.m. on Friday, October 27, 2006, in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

Regents present were L. Frederick “Rick” Francis, Chairman; J. Frank Miller, Vice Chairman; Larry K. Anders; C. Robert Black; Mark Griffin; Daniel T. Serna; Windy Sitton; and Bob L. Stafford. Regent F. Scott Dueser was officially excused from attendance at the meeting.

Also participating at the opening of the meeting were Dr. Donald Haragan, Chancellor, TTUS; Dr. Jon Whitmore, President, TTU; Dr. Bernhard T. Mitemeyer, President, TTUHSC; Mr. Jim Brunjes, Chief Financial Officer, TTUS; Mr. Ben Lock, Executive Assistant to the Chancellor, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Mr. Mike Ellicott, Vice Chancellor for Facilities Planning and Construction, TTUS; Dr. William Marcy, Provost, TTU; Dr. Thomas Anderes, Senior Vice President for Administration and Finance, TTU; Mr. Elmo Cavin, Executive Vice President for Finance and Administration, TTUHSC; Dr. Roderick Nairn, Executive Vice President for Academic Affairs, TTUHSC; Dr. Michael Shonrock, Vice President for Student Affairs, TTU; Dr. Dean Smith, Vice President for Research, TTU; Mrs. Kimberly Turner, Managing Director of Internal Audit, TTUS; Mr. Alton Smith, Associate Chief Financial Officer, TTUS; Mr. Ryan Worley, President, Student Government Association, TTU; Ms. Tracilynn Hall, President, Student Government Association, TTUHSC; Mr. Ron Phillips, Chief of Staff, President’s Office, TTU; and Ms. Christina Martinez, Assistant Secretary of the Board of Regents, TTUS.

- V. CALL TO ORDER; CONVENE INTO OPEN SESSION OF THE BOARD.—
Chairman Francis announced a quorum present and called the meeting to order.
- VI. INTRODUCTIONS AND RECOGNITIONS.—Chairman Francis called on Dr. Whitmore to begin the TTU introductions.

Dr. Whitmore introduced members of the Knight Raiders, Tech's chess club. Their club is responsible for Texas Tech being named the chess college of the year by the American Chess Federation.

Chase Watters, is the club president. He is a graduate student in biotechnology from Clovis, NM. He is technically a health sciences student but he is in a joint degree program between our two institutions.

Matthew Roth is the club's treasurer. He is a mathematics and computer science major from Amarillo.

David Visconti is the student organization's representative. He is a freshman philosophy major from Houston.

Dino Bryant is the chess mentor at the Ramirez Charter School and he is a doctoral candidate in history from Charlotte, NC.

Finally, their faculty mentor is Dr. Hal Karlsson. He is the club advisor. He is an associate professor in geosciences and a native Icelander.

Regent Griffin commended Mr. Bryant for his work with students in the elementary and middle schools.

Dr. Whitmore went on to introduce Dr. Rebecca Owens, the president of the Staff Senate. Dr. Owens is the managing director of the programs for academic support services. Our Staff Senate has made a number of recommendations over the years, many of them involving education for staff members in order to build the quality of our staff and make Texas Tech University a place where staff can come and have opportunities for learning and advancement. Our goal is to keep our fine staff while allowing them opportunities to advance in positions as they become available and they enhance their skills.

Dr. Whitmore introduced two faculty members who have brought international and national attention to Texas Tech University. The way a university builds its academic reputation is by having the work of the faculty out there in the public, nationally and internationally. People perceive that as an exciting thing happening at Texas Tech.

Kathleen Hayhoe is an atmospheric scientist and a research associate professor in the department of geosciences. Dr. Hayhoe's research focuses on the numerical modeling of earth atmosphere systems and regional climate changes. This month two of her studies have attracted widespread media attention across the United States and around the world.

Dr. Seshadri Ramkumar is an assistant professor in the Department of Environmental Toxicology and he supervises the non-woven and advanced

materials laboratory at the Institute of Environmental and Human Health. Last year, Dr. Ramkumar developed a fabric decontamination wipe for the U.S. Department of Defense. This wipe can be used to clean up chemical and biological warfare agents. He gained widespread national and international media attention for his invention.

Dr. Whitmore also introduce members of the National Group, who solicit federal research funding for Texas Tech in Washington, D.C.

Vince Versage has represented Texas Tech University in Washington, D.C. for nine years. He has extensive experience in congress and in the private practice of government relations. Vince is the team leader of this group.

Lisa Turner has worked in the office of Kay Bailey Hutchison, Congressman J.C. Watts from Oklahoma, and for former Congressman Larry Combest. She has extensive understanding of Texas Tech through those relationships and has a lot of experience on the Hill to know how things work.

The third member of this team is Ryan Henry. Ryan grew up in Lubbock and is a proud Tech alum. His father is Alan Henry, the president of Tech's Alumni Association. He has worked for former Congressman Combest and most recently Congressman John Carter who is a Tech alumni who represents Austin and the central Texas area.

Chairman Francis called on Regent Sitton who presented Coach Mike Leach with a resolution of appreciation from the Board for his work in academic excellence. The resolution of appreciation honored Coach Leach for his accomplishments at Tech since his arrival in December 1999.

Dr. Mitemeyer introduced Dr. Ronald Hall, a doctor of pharmacy. Dr. Hall is assistant professor in the School of Pharmacy in Dallas. He was selected by the National Institutes of Health to be one of fourteen clinical scholars. These scholars work at the UT-Southwestern in a program that helps the National Institutes of Health to cultivate independent clinical researcher who are then capable of becoming the next generation of leaders in patient oriented research.

Dr. Mitemeyer introduced Dr. April Allen, also from the School of Pharmacy. Dr. Allen is a professor of pharmacy practice in the School of Pharmacy in Dallas. April is well known for her dedication to serving patients. She was recognized by the Veterans Affairs in Dallas for patient care and received two distinguished awards—the Life Saver Award, an award presented to employees for going beyond the call of duty. Courtesy and Action Star was the other major award. This award is designed to recognize and reward employees who display exceptional courtesy and helpfulness in dealing with patients, visitors and fellow employees.

Dr. Mitemeyer continued by introducing Dr. Lynn Bickley. Dr. Bickley was introduced at the last Board meeting when she was commended for the \$2 million grant she received. She is one of two recipients to receive the President's Excellence in Teaching Award.

Dr. Mitemeyer introduced the other recipient of the President's Excellence in Teaching Award, Dr. Dan Hardy. Dr. Hardy is an associate professor in the Department of Cell Biology and Orthopaedic Surgery. He is in the basic sciences and in the clinical sciences.

Lastly, Dr. Mitemeyer introduced Dr. Katsura Aoyama. Dr. Aoyama is a professor in the School of Allied Health. She received the President's Young Investigator Award. She is an assistant professor in speech and hearing in the SOAH and as a young investigator she has received a prestigious grant from the American Speech Language and Hearing Association which is reserved for only the very best scholars in her field.

Chairman Francis recognized Dr. Don Haragan for his work with Texas Tech over the past 36 years and thanked him for the work he has done in serving as interim chancellor. A token of appreciation in the form of a cruise to the British Isles sponsored by the Texas Tech Alumni Association was presented to Dr. and Mrs. Haragan.

Dr. Haragan thanked Chairman Francis, the Board and all the administrators and staff he has worked with over the past years.

VII. OPEN SESSION.—At approximately 9:08 a.m. on Friday, October 27, the board continued meeting in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider items as a board and in the Committee of the Whole.

VII.A. APPROVAL OF MINUTES.—Regent Francis asked for approval of the minutes of the board meeting held on August 10-11, 2006. Regent Griffin moved for their approval. Regent Stafford seconded the motion, and the motion passed unanimously.

VII.B. COMMITTEE OF THE WHOLE

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

VII.B.1. Regent Miller presented the item regarding approval of the Consent Agenda and acknowledgment of review of the Information Agenda. Regent Miller moved that the Consent Agenda be approved. The motion

was seconded and passed unanimously. The following are the Minute Orders approved by this motion:

- VII.B.1.a. TTU: Approve leaves of absence.—The board approved the leaves of absence as approved administratively by the president and the chancellor for the following individuals.

Leave without pay for Kwame Alford, assistant professor, Department of History, College of Arts & Sciences, for the period August 15, 2006 through May 31, 2007. The purpose of this leave is to relocate the family to Long Beach, California.

Leave without pay for Sandra Diamond-Tissue, associate professor, Department of Biological Sciences, College of Arts & Sciences, for the period August 15, 2007 through May 31, 2008. The purpose of this leave is to conduct research on the effects of human activities on marine and estuarine populations and ecosystems in conjunction with the Sydney Harbor Institute of Marine Sciences. This leave will be taken in Sydney, Australia.

Leave without pay for David Tissue, associate professor, Department of Biological Sciences, College of Arts & Sciences, for the period August 15, 2007 through May 31, 2008. The purpose of this leave is to conduct research on the effects of human activities on marine and estuarine populations and ecosystems in conjunction with the Sydney Harbor Institute of Marine Sciences. This leave will be taken in Sydney, Australia.

- VII.B.1.b. TTU: Approve exception to Section 03.01.8, *Regents' Rules*.—The board approved an exception to Section 03.01.8.c., *Nepotism, Regents' Rules*, to allow Claudia Cogliser continued employment as Assistant Professor in the Area of Management, Rawls College of Business Administration. Her husband, William Gardner, was recently promoted to the Area Coordinator of Management and this promotion would create a conflict with University policy relating to nepotism. Professor Claudia Cogliser will now be supervised by Dr. Don Clancy, Associate Dean, with final approval for personnel and compensation matters under the responsibility of Dr. Allen McInnes, Dean, Rawls College of Business Administration. This request was approved administratively by the president and the.

- VII.B.1.c. TTUHSC: Approve exception to Section 03.01.8, *Regents' Rules*.—The board approved an exception to Section 03.01.8.c., *Nepotism, Regents' Rules*, to allow Karen Balzen, RN, wife of Earl Balzen, Executive Director for the Texas Tech University Health Sciences Center Correctional Managed Health Care, employment

at the Texas Department of Criminal Justice John T. Montford Medical Facility. The Montford Regional Medical Facility (“RMF”) is a 122 bed medical-surgical hospital. Ms. Balzen has been selected for a weekend-night position in the emergency room of the RMF. It has proven very difficult to recruit qualified nurses to this prison facility. The facility currently has a 40 percent RN vacancy rate.

Ms. Balzen will be supervised by the Nurse Manager and Director of Nursing for the Montford facility, with approval for any personnel, performance or compensation matters under the responsibility of Dr. Cynthia Jumper, Associate Dean for Health Services Management with the School of Medicine. This request was approved administratively by the president and the chancellor.

VII.B.1.d. TTU: Approve name change to Texas Instruments (“TI”) Building on the East Loop.—The board approved the renaming of the Texas Instruments (“TI”) Building to the East Loop Research Building to better reflect the activity housed in the building. This request was approved administratively by the president and the chancellor.

VII.B.1.e. TTU: Ratification of acceptance of gift-in-kind in excess of \$250,000.—The board approved the acceptance of a gift-in-kind of an electron microscope. The acceptance of the gift between Board meetings was necessitated by the requirements of the donor. The Board of Regents is requested to ratify this acceptance of a gift-in-kind in excess of \$250,000 in accordance with *Regents’ Rule*, 06.01.2, Acceptance of Gift in Kind, greater than \$250,000. This request was approved administratively by the president and the chancellor.

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

Michael A. Macias, effective September 11, 2006

Richard C. Mogg, effective September 11, 2006

William B. Burgess, effective August 21, 2006

Travis J. Patterson, effective August 14, 2006

VII.B.1.g. TTUSA: Approve budget adjustments for the period August 1, 2006 through September 30, 2006.—The board approved the budget adjustments for the period August 1, 2006 through September 30, 2006. This request was approved administratively by the chancellor.

TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION – BOARD APPROVAL ITEM
(August 1, 2006 – September 30, 2006)

Activity	Source of Funds		Expense
	Other	Income	
Board Approval Communication Services Equipment For FP&C Major Projects	337,063		337,063
Establish separate fund to track equipment purchased for major projects through Communication Services - Transfer of fund balance from Communication Services Base Account			
Construct Training Facility for ConnectTECH Project	388,000		388,000
Fund Project to construct three classroom, staff offices, and restrooms in the former Wiggins Dining Facility. This project will also address asbestos removal and ADA compliance in the affected areas. Funding for the project will be provided by Administrative computing Fund Balances.			
Total	725,063		725,063

Regent Miller then moved that the board acknowledge its review of the Information Agenda as follows:

Information Agenda

Information is provided as required by Section 01.01.6.b(2)(c),
Regents' Rules

- (1) TTUHSC: Contract Renewals per Section 07.12.4.b., *Regents' Rules*: "Approval of the president is required for all contract renewals. A list of those renewal contracts greater than \$1,000,000 per annum, including the amount of the contract, will be provided to the board as an information item at the next regular board meeting."
 - (a) University Medical Center, Master Coordinating Agreement; 7/1/06-6/30/07; \$22,500,000;
 - (b) R.E. Thomason General Hospital; Anesthesiology Services Agreement; 7/1/06-9/30/09; \$5,112,764; and
 - (c) R.E. Thomason General Hospital; Residents Agreement; 7/1/06-6/30/07; \$8,671,677.

- (2) TTUHSC: School of Medicine Faculty Employment Contracts per Section 07.12.4.c., *Regents' Rules*: "Approval of the president is required for faculty employment contracts greater than \$100,000 per annum. A list of all faculty employment contracts greater than \$100,000 per annum will be provided to the board as an information item at the next board meeting."
 - (a) Alalawi, Raed H., M.D., Assistant Professor/NTT; Internal Medicine, Lubbock; 6/28/07-8/31/08; \$180,000;
 - (b) Azarov, Nick A., M.D., Assistant Professor/NTT; Internal Medicine, Odessa; 7/1/07-7/1/08; \$170,000;
 - (c) Beaver, Thomas R., M.D., Assistant Professor/NTT; Pathology, Lubbock; 7/17/06-8/31/07; \$240,000;

- (d) Bhatt, Rajat, M.D., Assistant Professor/NTT; Internal Medicine, Lubbock; 10/1/06-9/30/09; \$130,000;
- (e) Boparai, Rubina, M.D., Assistant Professor/NTT; Internal Medicine, Lubbock; 11/1/06-8/31/07; \$140,000;
- (f) Day, Miles, M.D., Associate Professor/NTT; Anesthesiology, Lubbock; 10/1/06-9/30/07; \$325,000;
- (g) Dimri, Manish, M.D., Assistant Professor/NTT; Internal Medicine, Odessa; 12/1/06-11/30/07; \$140,000;
- (h) Earp, Gary W., D.O., Assistant Professor/NTT; Family Medicine, Lubbock; 9/1/06-8/31/07; \$160,000;
- (i) Ephtimios, Issa, M.D., Associate Professor/NTT; Internal Medicine, Odessa; 10/1/06-8/31/07; \$165,000;
- (j) Gibbons, Ronald, M.D., Assistant Professor/NTT; Internal Medicine, Odessa; 11/1/06-8/31/07; \$180,000;
- (k) Kara, Meryem, M.D., Assistant Professor/NTT; Internal Medicine, Lubbock; 11/1/06-8/31/07; \$135,000;
- (l) Kirkland, Jerry L., M.D., Assistant Professor/NTT; Family Medicine, Amarillo; 9/1/06-8/31/07; \$135,000;
- (m) Lehman, Stanley, M.D., Assistant Professor/NTT; Orthopaedic Surgery, Lubbock; 10/1/06-8/31/08; \$231,000;
- (n) McKnight, Dell, M.D., Assistant Professor/NTT; Family Medicine, Lubbock/Abilene; 9/1/06-9/1/07; \$199,992;
- (o) Moore, William, M.D., Assistant Professor/NTT; Anesthesiology, Lubbock; 7/7/06-6/30/07; \$180,000;
- (p) Nolan, Paul, M.D., Associate Professor/NTT; Pediatrics, Amarillo; 7/3/06-8/31/08; \$150,000;
- (q) Parikh, Rajendra, M.D., Professor/NTT; Pediatrics, Amarillo; 8/21/06-8/31/08; \$180,000;
- (r) Parsons, Thomas R., M.D., Assistant Professor/NTT; Pathology, Lubbock; 8/7/06-8/31/07; \$200,000;
- (s) Phisitkul, Sorot, M.D., Assistant Professor/NTT; Internal Medicine, Lubbock; 1/1/07-6/30/10; \$135,000;
- (t) Rakvit, Ariwan, M.D., Assistant Professor/NTT; Internal Medicine; Lubbock; 11/1/06-8/31/09; \$225,000;
- (u) Richey, Harvey, III, D.O., Assistant Professor/NTT; Internal Medicine, Amarillo; 9/1/06-8/31/07; \$180,000;
- (v) Santillan-Gomez, Antonio, M.D., Assistant Professor/TT; Ob/Gyn, El Paso; 7/1/07-8/31/08; \$200,000;
- (w) Shephard, David, M.D., Instructor/NTT; Orthopaedic Surgery, Lubbock; 8/1/08-8/31/11; \$231,000;
- (x) Tedjarati, Sean S., M.D., Associate Professor; Ob/Gyn, Amarillo; 9/11/06-8/31/08; \$310,000;
- (y) Tolouian, Ramin, M.D., Assistant Professor/TT; Internal Medicine, El Paso; 8/1/06-8/31/07; \$120,000;
- (z) Van Buren, David H., M.D., Professor/NTT; Urology, Lubbock; 7/1/06-8/31/09; \$275,000; and
- (aa) Villanos, Maria Theresa, M.D., Instructor/NTT; Pediatrics, El Paso; 9/1/06-8/31/07; \$105,000.

The motion was seconded and passed unanimously.

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

VIII. REPORTS OF STANDING COMMITTEES.—At approximately 9:11 a.m., at the direction of Chairman Francis, Standing Committee reports were presented sequentially to the Committee of the Whole.

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

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

VIII.A.1. TTU: Approve leave of absence.—The board approved the following leave of absence.

Leave without pay for Julie Couch, assistant professor, Department of English, College of Arts and Sciences, for the period August 15, 2006 through December 31, 2006. The purpose of this leave is to work full time on research and completion of a book. This leave will be taken in Lubbock, Texas.

VIII.A.2. TTU: Approve appointments with tenure.—The board approved the granting of tenure to the following faculty of Texas Tech University contemporaneously with their appointments:

Bijoy Ghosh, Ph.D., new professor of the Dick and Martha Brooks Regents Endowed Professorship in Mathematics and Statistics, College of Arts and Sciences. Dr. Ghosh was previously a tenured professor in the Department of Electrical and Systems Engineering at Washington University in Saint Louis, Missouri.

Christopher Taylor, Ph.D., new associate professor in the Department of Natural Resources Management, College of Agricultural Sciences and Natural Resources. Dr. Taylor was previously a tenured professor in the Department of Biological Sciences at Mississippi State University in Mississippi State, Mississippi.

VIII.A.3. TTU: Approve a Doctor of Philosophy in Wind Science and Engineering in the College of Engineering.—The board approved a new multidisciplinary degree program for a Doctor of Philosophy in Wind Science and Engineering, College of Engineering and authorized submission to the

Texas Higher Education Coordinating Board seeking its approval for such a program.

Implementation of this new program will require no new money and no new faculty. Resources will be reallocated within the College of Engineering to meet the needs for faculty time. Infrastructure and operating expenses will be absorbed into departmental operating costs. Over a five year time period, the value of the reallocated resources or expenses is \$1,322,778 and the projected program revenue is \$1,425,670.

- VIII.A.4. TTUHSC: Confer title of Professor Emeritus on Darryl Williams, M.D., M.P.H.—The board approved the conferring of Professor Emeritus on Darryl Williams, M.D., M.P.H., former dean of the School of Medicine.
- VIII.A.5. TTUHSC: Approve a new Doctor in Physical Therapy (“DPT”) degree program.—The board (i) approved a Doctor of Physical Therapy degree program (“DPT”) to replace the existing Master of Physical Therapy (“MPT”) degree program in the Department of Rehabilitation Sciences of the Texas Tech University Health Sciences Center (“TTUHSC”) School of Allied Health Sciences and (ii) authorized the president to cause a proposal to be submitted to the Texas Higher Education Coordinating Board (“THECB”) seeking approval for such a program.
- VIII.A.6. TTUHSC: Approve an expansion of the School of Medicine M.D. program to offer third and fourth year medical student teaching programs in the Permian Basin (Odessa/Midland).—The board (i) approved the expansion of the School of Medicine’s M.D. program to offer third and fourth year undergraduate medical education in the Permian Basin and (ii) authorized the president to cause proposals to be submitted to the Texas Higher Education Coordinating Board (“THECB”) and the Liaison Committee on Medical Education (“LCME”) seeking approval for such an expansion of the M.D. education program.
- VIII.A.7. TTUHSC: Approve changes to the School of Nursing BSN Program admission criteria.—The board approved the following changes to the admission criteria.
1. To the traditional undergraduate baccalaureate program:
 - a. Before applying to the School the applicant must have completed a minimum of 40 semester credit hours of the 55-58 semester credit hours of prerequisite courses and 3 out of 4 prerequisite science courses with the remaining prerequisites/science courses in progress at time of submission of application;

- b. Completion of all prerequisites by end of the spring semester before summer II program entry.
 - c. Successful completion of NET testing (nationally standardized nurse entrance test from Educational Resources, Inc.) as an admission criteria.
 - 2. To the 2nd degree baccalaureate program:
 - a. Successful completion of NET testing (nationally standardized nurse entrance test from Educational Resources, Inc.) as an admission criteria.
 - 3. To the RN to BSN baccalaureate track:
 - a. Increasing the admission grade point average from a 2.0 cumulative point average to a 2.5 cumulative point average.
- VIII.A.8. TTUHSC: Approve designation of Abilene as a Regional Academic Health Center of TTUHSC.—The board approved the designation of Abilene as a Regional Academic Health Center of Texas Tech University Health Sciences Center (“TTUHSC”) and identified the campus as such in official University publications and documents. The University was further authorized to seek approval of this designation from the Texas Higher Education Coordinating Board (“THECB”).
- VIII.A.9. TTUHSC: Authorization for the president to approve an agreement to engage a consultant to evaluate School of Medicine undergraduate curriculum.—The board tabled this item for further discussion.
- VIII.A.10. TTU and TTUHSC: Reports on enrollment.—The board accepted a report on TTU and TTUHSC enrollment, included herewith as Attachment No. 1 and Attachment No. 2.
- VIII.A.11. TTU: Report on Communications and Marketing activities.—The board accepted a report on the Tech’s communications and marketing activities included herewith as Attachment No. 3.
- VIII.A.12. TTU: Report on Research activities.—The board accepted a report on Tech’s research activities.

The TTU Sponsored Programs Funding and Cost Charts are included herewith as Attachment No. 4.

VIII.B. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

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

- VIII.B.1. TTU: Approve funding change for the Art 3-D project.—The board modified the funding for the Art 3-D project to \$7,669,699 in Higher Education Assistance Funds (“HEAF”) bonds, replacing the previous funding of \$7,669,699 in HEAF funds (cash). The other funding sources remain the same.

The HEAF Projected Uses Report is included herewith as Attachment No. 5.

It was further recommended that the board acknowledge that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board finds that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declare its intention, in accordance with the provisions of *Treasury Regulations*, Section 1.150-2, to reimburse itself for original expenditures, advanced in connection with the design, planning and construction of a new project an aggregate maximum principal amount expected to be \$7,769,699.

- VIII.B.2. TTU and TTUHSC: Authorize consulting agreement for assistance in advancing federal initiatives.—The board authorized the presidents of the component institutions to jointly extend the existing consultant agreement with the National Group, L.L.P. to work with and advise the leadership of Texas Tech University and Texas Tech University Health Sciences Center to advance their federal research initiatives. The consultant fee of approximately \$280,000.00 per year will be paid equally by the component institutions.
- VIII.B.3. TTUHSC: Approve budget adjustments for the period July 1, 2006 through September 30, 2006.—The board approved budget adjustments for the period July 1, 2006 through September 30, 2006.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER – BOARD APPROVAL ITEM (July 1, 2006 – September 30, 2006)

Activity	Source of Funds		Expense
	Other	Income	

Board Action			
Medical Practice Income Plan – FY 2007		\$1,669,368	\$1,669,368
In February, the Board approved the establishment of the Department of Urology in the School of Medicine. This budget increase includes \$395,000 of support from University Medical Center and patient income of \$1,274,368 for three new physicians in Urology.			
Medical Practice Income Plan – FY 2007		\$1,680,829	\$1,680,829
Effective September 1, 2006, TTUHSC will assume the operations of the clinical practice associated with the Family Practice Residency program in Abilene. This revision establishes the budget for the program and includes \$500,000 of contract income from Hendrick Medical Center and \$1,180,829 of anticipated patient income. The patient income will be generated by three faculty supporting six resident physicians and one nurse practitioner.			
Medical Practice Income Plan – FY 2007	\$380,300		\$380,300
During FY 2006, the School of Medicine changed the name of the clinical operations to Texas Tech Physicians. Funding was set aside for a marketing initiative to promote the name change. This revision budgets fund balance initially set aside in FY 2006 for the marketing initiative.			
Total	\$380,300	\$3,350,197	\$3,730,497

VIII.B.4. TTUHSC: Approve negotiation and execution of agreements with Midland Memorial Hospital and Midland College and other necessary agreements to enable TTUHSC to comply with the General Appropriations Act, 79th Legislature, Regular Session, Article IX, Section 14.55.—The board authorized the president to negotiate and execute agreements with Midland Memorial Hospital and Midland College and other necessary agreements to enable Texas Tech University Health Sciences Center (“TTUHSC”) to comply with the General Appropriations Act, 79th Legislature, Regular Session, Article IX, Section 14.55; and obtain project approval from the Texas Higher Education Coordinating Board.

VIII.B.5. TTUS: Authorize the engagement of a consultant to provide a business impact analysis and security assessment for the three major data centers within the Texas Tech University System.—The board authorized the chancellor to enter into an agreement with a consultant to provide a business impact analysis and security assessment for the three major data centers within the Texas Tech University System.

The preferred vendor is being selected through a competitive RFP process. The expected engagement cost will not exceed \$100,000.

VIII.C. REPORT OF THE AUDIT COMMITTEE

Committee Chairman Stafford reported that the Audit Committee met in open session to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the action set forth in the Minute Order that follows was recommended by the Audit Committee

and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

VIII.C.1. TTUS: Report on audits.—The board accepted a report on audits, included herewith as Attachment No. 6.

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

VIII.D. REPORT OF THE FACILITIES COMMITTEE

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

VIII.D.1. TTU: Approve increase to Engineering Expansion/ Renovation Project planning budget.—The board approved an increase to the planning budget for the College of Engineering Expansion/Renovation Project by \$525,000 in order to continue the design of Phase I. The planning budget increase will be funded through Revenue Finance System, repaid with Higher Education Assistance Funds (“HEAF”). The expected project budget is \$10,000,000.

The board further acknowledged that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board finds that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declares 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 \$525,000.

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.

VIII.D.2. TTU: Approve budget increase to the Sneed/Gordon/ Bledsoe Residence Halls Life Safety/HVAC Systems Upgrade Project.—The board authorized (i) that the project budget be increased by \$1,900,000 to a total of \$11,500,000 to complete the HVAC Upgrade of Sneed and Gordon Residence Halls, as originally designed; (ii) obtain project approval from

the Texas Higher Education Coordinating Board (“THECB”); and (iii) accept a Guaranteed Maximum Price (“GMP”) proposal from the Construction Manager at Risk. The increase will be funded through the Revenue Finance System repaid with Housing revenues.

The board further acknowledged that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect, the board finds that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declares 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 \$11,015,000.

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 Board approved this item without approving the exception to Section 08.01.3.d, *Regents’ Rules*, as the original item requested and requested that an owner’s representative be hired.

- VIII.D.3. TTUHSC: Approve construction of Amarillo Research Building.—The board authorized the Office of Facilities Planning and Construction (i) to proceed with a project to construct the Amarillo Research Facility with a project budget of \$18,000,000 and (ii) to complete the design, obtain project approval from the Texas Higher Education Coordinating Board and, (iii) accept a Guaranteed Maximum Price proposal from the Construction Manager at Risk. The project will be funded with Tuition Revenue Bonds (“TRB”).

Interim funding will be provided by \$6,100,000 in Higher Education Assistance Funds (“HEAF”). The Texas Tech University Health Sciences Center (“TTUHSC”) intends to reimburse the interim funding with TRB when funded. The Board of Regents will be notified when this action occurs.

If debt service for the TRB is not funded by the Legislature, this project will not be constructed.

It was further recommended that the board acknowledges that it expects to pay expenditures in connection with the construction of the project prior to the issuance of obligations to finance the project and, in that respect,

the board finds that the reimbursement for the payments of such expenditures will be appropriate and consistent with the lawful objectives of the Texas Tech University System, and, as such, declares 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 \$18,000,000.

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 Board approved this item without approving the exception to Section 08.01.3.d, *Regents' Rules*, as the original item requested and requested that an owner's representative be hired.

- VIII.D.4. TTUS: Report on Retirement Village Concept.—The board accepted a report on the concept of private development of Texas Tech land for use as a Retirement Village.
- VIII.D.5. TTU: Report on Office of Facilities Planning and Construction projects.—The board accepted the report on projects of the Office of Facilities Planning and Construction, included herewith as Attachment No. 7.
- IX. OPEN SESSION.—At approximately 9:16 a.m. the board continued in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider items as the Committee of the Whole and Meeting of the Board.
- IX.A. SCHEDULE FOR BOARD MEETINGS.—Mr. Lock presented the following schedule for future board meetings: December 14-15, 2006, Lubbock; March 29-30, 2007, Lubbock; May 10-11, 2007, Lubbock; August 9-10, 2007, Lubbock; October 11-12, 2007, Lubbock; December 13-14, 2007, Lubbock.
- IX.B. THE PRESIDENT'S REPORT, TTU.—Chairman Francis called on President Whitmore, who presented the President's Report, included herewith as Attachment No. 8.
- IX.B.1. REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTU.—Chairman Francis called on Mr. Ryan Worley, president, Student Government Association, TTU, who presented a report from the Student Government Association.

IX.C. THE PRESIDENT'S REPORT, TTUHSC.—Chairman Francis called on President Mitemeyer, who presented the President's Report, included herewith as Attachment No. 9.

IX.C.1. REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTUHSC.—Chairman Francis called on Ms. Tracilyn Hall, president, Student Government Association, TTUHSC, who presented a report from the Student Government Association.

IX.D. CHANCELLOR'S REPORT.—Chairman Francis called on Chancellor Haragan, who presented the Chancellor's Report, included herewith as Attachment No. 10.

X. EXECUTIVE SESSION.—At approximately 10:03 a.m., the board recessed and convened into Executive Session as authorized by Chapter 551 of the *Texas Government Code*.

XI. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 11:44 a.m., the board reconvened in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, to consider items as a Committee of the Whole and Meeting of the Board.

XI.A. REPORT OF EXECUTIVE SESSION.—Chairman Francis called on Vice Chairman Miller to present motions regarding items discussed in Executive Session.

Vice Chairman Miller moved that the board authorize the president of the Health Sciences Center to conclude negotiations and execute an interlocal agreement for economic development services with the county of El Paso

XII.B. CHAIRMAN'S ANNOUNCEMENTS.—There were no announcements.

XII. ADJOURNMENT.—Chairman Francis moved that the meeting be adjourned. The motion was seconded and passed unanimously. The meeting adjourned at approximately 11:55 a.m.

INDEX OF ATTACHMENTS

Attachment 1	TTU Enrollment Reports
Attachment 2	TTUHSC Enrollment Report
Attachment 3	TTU Marketing and Communications Report
Attachment 4	TTU Sponsored Programs Funding and Cost Charts
Attachment 5	HEAF Projected Uses Report
Attachment 6	TTUS Report on Audits
Attachment 7	TTU Report on Office of Facilities Planning and Construction Projects
Attachment 8	TTU President's Report
Attachment 9	TTUHSC President's Report
Attachment 10	TTUS Chancellor's Report

I, Ben Lock, the duly appointed and qualified Secretary of the Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the Minutes of the Texas Tech University System Board of Regents meeting on October 27, 2006.



Ben Lock
Secretary

Seal