

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
October 1, 1999

Friday, October 1, 1999.—The members of the Board of Regents of Texas Tech University System convened at 8:30 a.m. on Friday, October 1, 1999, 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 James E. Sowell, Chairman; J. Robert Brown, Vice Chairman; Carin Barth; E. R. “Dick” Brooks; John W. Jones; Dr. Nancy E. Jones; Brian C. Newby; J. Michael Weiss; and Alan B. White.

Also participating at the opening of the meeting were John T. Montford, Chancellor; James L. Crowson, Deputy Chancellor for Administration; Mike Moses, Deputy Chancellor for System Operations; Donald R. Haragan, President, Texas Tech University; David R. Smith, President, Texas Tech University Health Sciences Center; Pat Campbell, Vice Chancellor and General Counsel; Jim Brunjes, Chief Financial Officer; and Marcie Johnston, Executive Director of the Board of Regents and the Chancellor’s Council.

- I. Chairman Sowell announced a quorum present and called the meeting to order.
- II. Chairman Sowell called on Dr. Leo Vela who gave the invocation.
- III. Chairman Sowell called on Chancellor Montford who, speaking from the materials included herewith as Attachment No. 1, introduced to the Board Dr. Steven Berk, regional dean of the School of Medicine in Amarillo; Dr. Kevin R. Pond, professor and chair of the Department of Animal Science and Food Technology; Dr. Phil Smith, director of the High Performance Computer Center; Dr. James R. Abbott, associate director of the High Performance Computer Center; Dr. Carlton Phillips, chair of the Department of Biological Sciences; Mr. Martin Hilton, student senate president, TTUHSC; and Mr. Vincent Versage and Mr. Frank Godfrey of Cassidy & Associates.
- IV. RECESS TO EXECUTIVE SESSION.—At 8:39 a.m., at the direction of Chairman Sowell, the Board recessed and convened in Executive Session as authorized by Chapter 551 of the *Texas Government Code*.

- V. RECONVENING OF THE BOARD TO OPEN SESSION—At approximately 9:50 a.m., following its executive session, the board reconvened in open session at the direction of Chairman Sowell.
- VI. RECESS TO STANDING COMMITTEES--At approximately 9:50 a.m., at the direction of Chairman Sowell, the board recessed into open meetings of its standing committees, which were conducted sequentially in open session as follows: the Academic, Clinical and Student Affairs Committee met from approximately 9:55 a.m. until approximately 10:37 a.m. in Room 206, Board of Regents Committee Room, Administration Building; the Finance and Administration Committee met from approximately 10:40 a.m. until approximately 10:45 a.m. in Room 201, Board of Regents Meeting Room, Administration Building; and the Facilities Committee met from approximately 10:48 a.m. until 12:05 p.m. in Room 206, Board of Regents Meeting Room, Administration Building.
- VII. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 12:10 p.m., the Board reconvened in open session in Room 201, Board of Regents Meeting Room, Administration Building, Texas Tech University in Lubbock, Texas to consider items as a Board and in the Committee of the Whole.
- VII.A. APPROVAL OF MINUTES--Regent White moved that the minutes of the Board meeting held on August 11-12, 1999 be approved. Regent Brown seconded the motion, and the motion passed unanimously.
- VII.B. COMMITTEE OF THE WHOLE

Chairman Sowell announced that for the purpose of facilitating action on the items to be considered, Vice Chairman Brown would preside over the Committee of the Whole.

- 1. Regent Brown called on Deputy Chancellor Crowson who presented the item regarding approval of the consent agenda and acknowledgment of review of the Information Agenda. Regent Brown moved that the Consent Agenda be approved. The motion was seconded and passed unanimously. The following are the Minute Orders approved by this motion:
 - a. TTU: Ratify official leaves of absence without pay; and approve renaming the Department of Art.—The Board approved the following official leaves of absence without pay as recommended by the Office of the President and the Office of the Chancellor.

Leave without pay for Edward E. Anderson, Professor,
College of Engineering, for the period January 15, 2000

through May 31, 2000. The purpose of this leave is to serve as H.T. Person Professor of Excellence in Engineering Education. This leave will be taken in Laramie, Wyoming.

Leave without pay for Jerry Mason, Assistant Professor, College of Human Sciences, for the period September 1, 1999 through January 15, 2000. The purpose of this leave is to serve as Education Director for the National Association of Life Underwriters, a professional organization located in Washington, DC. This leave will be taken in Washington, DC.

Leave without pay for Mike Bobo, Professor, College of Arts and Sciences, for the period September 1, 1999 through May 31, 2000. The purpose of this leave is to teach at the public school level or at another university in Health, Physical Education, and Recreation to broaden faculty member's teaching experiences. This leave will be taken in Hurst, Texas.

A portion of this item relating to an exception to *Board Policy 04.23* was moved to the regular agenda.

The Board approved the changing of the name of the Department of Art to the School of Art as recommended by the Office of the President and the Office of the Chancellor. The reasons for this change are essentially related to enhancing the unit's status locally and in the national arena of visual arts programs by establishing parity with other arts units in major comparable universities and colleges.

- b. TTUHSC: Approve faculty bylaws for the School of Allied Health.—The Board approved the faculty bylaws for the School of Allied Health as recommended by the Office of the President and the Office of the Chancellor included herewith as Attachment No. 2.
- c. This item was moved to the regular Agenda.
- d. TTU: Approve and ratify budget adjustments for the period July 1, 1999 through August 31, 1999.—The Board approved and ratified budget and salary adjustments for the period July 1, 1999 through August 31, 1999 as recommended by the Office of the President and the Office of the Chancellor included herewith as Attachment No. 3.

- e. TTUHSC: Ratify salary adjustment for the period July 1, 1999 through August 31, 1999.—The Board approved a salary increase of 10% or more for Edwin Knipstein, Orthopaedic Surgery, TTUHSC, Lubbock.
- f. TTUHSC: Renew the agreement with R. E. Thomason General Hospital for anesthesiology services.—The Board approved renewing the agreement with R. E. Thomason General Hospital (El Paso, Texas), effective July 1, 1999 through June 30, 2001, including authorization for the Office of the Chancellor to execute the agreement. The agreement with R. E. Thomason General Hospital is for the purpose of providing anesthesiology services.
- g. TTUHSC: Renew the agreement with Ron Jackson.—The Board approved renewing the agreement with Ron Jackson (Austin, Texas), effective September 1, 1999 through August 31, 2000, including authorization for the Office of the Chancellor to execute the agreement. The agreement with Ron Jackson is for the purpose of providing consulting services.
- h. TTUHSC: Renew the agreement with Charles D. Travis.—The Board renewed the agreement with Charles D. Travis (Austin, Texas), effective September 1, 1999 through August 31, 2000, including authorization for the Office of the Chancellor to execute the agreement. The agreement with Charles D. Travis is for the purpose of providing consulting services.
- i. TTUHSC: Ratify the renewal agreement with Covenant Health System.—The Board renewed the agreement with Covenant Health System (Lubbock, Texas), effective July 1, 1999 through June 30, 2000, including authorization for the Office of the Chancellor to execute the agreement. The agreement with Covenant Health System is for the purpose of providing funding for resident support.
- j. TTUHSC: Ratify agreement with Austin College for an Early Decision to Medical School Program.—The Board approved the agreement with Austin College (Sherman, Texas), effective September 1, 1999 through January 15, 2003, including authorization for the Office of the Chancellor to execute the agreement. The agreement with Austin College

is for the purpose of implementing an Early Decision to Medical School Program.

- k. TTU: Acceptance of major gifts-in-kind to the College of Engineering.—The Board approved acceptance of gifts-in-kind for the benefit of the College of Engineering: (i) an engine dynamometer system from Mr. Bobby Unser of Albuquerque, New Mexico, and (ii) five copies of Perform (nodal analysis program), SubPUMP (design and analysis of submersible pumps), GasLIFT (gas lift design program), OilWat/GasWat (oil and gas reservoir material balance program, and RAPTOR (well test analysis program) from IHS Energy Group of Richardson, Texas, as approved administratively by the Office of the President and the Office of the Chancellor.

Secretary's Note: Regent White recused himself from the vote on item i.

Mr. Brown then moved that the board acknowledge its review of the Information Agenda as follows:

Information Agenda

- TTU: Small Class Report, Summer I, 1999
- TTU: Small Class Report, Summer II, 1999
- TTU: Budget Adjustments of \$100,000 or More, Supplemental Awards or Renewals of Research and Other Sponsored Projects; July 1, 1999 through August 31, 1999, per *Board Policy 04.04*
- TTUHSC School of Medicine Faculty Employment Contracts, per *Board Policy 04.04*
- TTUHSC: Contracts renewed per *Board Policy 04.05.5*
- TTUHSC: Affiliation Agreements; July 1, 1999 to July 31, 1999
- TTU: Contract renewed per *Board Policy 03.01.2.c*.

The motion passed unanimously.

2. Regent Brown called on Deputy Chancellor Crowson who presented the item regarding provisional approval of Sections 01 and 09 of the proposed *Regent Rules*. Mr. Crowson explained that the revisions would not go into effect until the entire revision process was completed.

Discussion by the board followed the presentation. Regent Brown moved that the board provisionally approve Sections 01 and 09 of the proposed *Regent Rules*, included herewith as Attachment No. 4.

Regent Brooks seconded the motion, and the motion passed unanimously.

3. Regent Brown called on Deputy Chancellor Crowson who presented the item regarding the Seventh Supplemental Resolution to the Master Resolution authorizing issuance, sale and delivery of up to \$21 million of Board of Regents of Texas Tech University Revenue Financing System Bonds, Seventh Series (1999) and approving and authorizing instruments and procedures relating thereto.

Discussion by the board followed the presentation. Chairman Sowell appointed a special committee to review the Jones Stadium project prior to the sale of bonds. Serving on the committee will be Regents Alan White, Nancy Jones, Dick Brooks and John Johns, chair.

Regent Brown moved that, subject to review of the Jones Stadium Project by the special committee, the Board of Regents approve the item regarding the amended and restated Seventh Supplemental Resolution to the Master Resolution, included herewith as Attachment No. 5.

Regent White seconded the motion, and the motion passed unanimously.

VII.C. REPORT OF EXECUTIVE SESSION

There were no items of action to consider as a result of the executive session.

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

Chairman Sowell called on Regent N. Jones, Chair, to give the report of the Academic, Clinical and Student Affairs Committee.

Committee Chairman N. Jones reported that the Academic, Clinical and Student Affairs Committee met in open session on Friday, October 1, 1999, to consider those matters on its agenda and to formulate recommendations to the Board of Regents of Texas Tech University. Unless otherwise indicated, the actions set forth in the Minute Orders which 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 Texas Tech University System.

1. TTU: Approve appointments with tenure.—The Board granted tenure to Philip Smith, Ph.D., a professor in the Department of Mathematics and Statistics and Director of the Center for High Performance Computing and Michael Gelfond, Ph.D., a professor in the Department of Computer Science, contemporaneously with their appointments.

2. TTU: Approve renaming the College of Fine Arts.—The Board approved the change of the name of the yet-to-be-established College of Fine Arts to the College of Visual and Performing Arts.
3. TTU: Approve exception to *Board of Regents Policy 04.23*.—The Board approved an exception to the *Board of Regents Policy 04.23*, Nepotism, to allow Dr. Monty Strauss, husband of Dr. Jane Winer, Dean of the College of Arts and Sciences, to be employed as Professor, Department of Mathematics and Statistics. All personnel and compensation matters affecting Dr. Strauss that require the action or approval of the dean will be the responsibility of Dr. John Burns, Provost.
4. TTU: Modify *Board of Regents Policy 08.01.7*, Admission, effective fall 2001.—The Board approved the modification of *Board of Regents Policy 08.01*, Admission, Section 7, Provisional Admission, included herewith as Attachment No. 6. Mr. Weiss asked to be recorded as voting “no.”
5. TTU: Approve revision to *Board of Regents Policy 08.01*, Admission, to add a section on admission requirements for international students, effective fall 2000.—The Board approved revisions to the *Board of Regents Policy 08.01 and 08.01.10*, Admission, included herewith as Attachment No. 7.
6. TTUHSC: Approve appointment with tenure.--The Board granted tenure to Steven Lee Berk, M.D., Regional Dean of the School of Medicine in Amarillo, contemporaneously with his appointment as professor in Internal Medicine at TTUHSC.
7. TTUHSC: Approve a new doctoral degree in Physical Therapy.--The Board approved a new doctoral degree in Physical Therapy to be established in the TTUHSC School of Allied Health and that the Office of the President be authorized to cause a proposal to be submitted to the Texas Higher Education Coordinating Board to seek approval for such a program.
8. TTUHSC: Approve the agreement with the Physician Network Services.—The Board approved an agreement with the Physician Network Services to provide primary care physician services to Physician Network Services-owned community medical clinics effective January 1, 2000 through August 31, 2001.
9. TTUHSC: Authorize negotiations for a ground lease and master coordinating agreement with University Medical Center to build and operate an outpatient geriatric assessment center.—This item was withdrawn.

The board accepted the following reports:

10. Report by Dr. Jane E. Winer on progress and status of the College of Arts and Sciences, included herewith as Attachment No. 8.
11. Dr. David Schmidly presented an annual report of research and graduate education, included herewith as Attachment No. 9.
12. Report by Dr. David Schmidly on the progress in establishing the Texas Tech University System Research Foundation, included herewith as Attachment No. 10.

VII.E. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

Chairman Sowell called on Regent White, Chair, to give the report of the Finance and Administration Committee.

Committee Chairman White 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 Texas Tech University. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Finance and Administration Committee and approved in open session and without objection by the Board of Regents of Texas Tech University System.

1. TTU: Increase freshman and transfer application fee.—The Board approved an increase of the freshman and transfer admission application fee from \$25 to \$40.
2. TTU: Approve the agreement between Market Lubbock Economic Development Corporation and Texas Tech University.—The Board approved the agreement between Market Lubbock Economic Development Corporation, a Texas not-for-profit corporation, and Texas Tech University, Office of Technology Transfer and Intellectual Property, to execute an Economic Development Program for \$250,000. Regent White recused himself from consideration of this item.
3. TTUHSC: Approve the submission of a request to exceed the FTE limitation established by the General Appropriations Act.—The Board approved the submission of a request to the Governor and the Legislative Budget Board to increase the full-time equivalent employee limitation applicable to appropriated funds from 1,420.5 to 1,530.5 FTEs for fiscal year 2000 and from 1,420.5 to 1,535.5 for fiscal year 2001.

VII.F. REPORT OF THE FACILITIES COMMITTEE

Chairman J. Jones gave the report of the Facilities Committee.

Committee Chairman Jones 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 Texas Tech University. Unless otherwise indicated, the actions set forth in the Minute Orders which follow were recommended by the Facilities Committee and approved in open session and without objection by the Board of Regents of Texas Tech University System.

1. TTU: Approve supplemental planning budget, proceed with program, schematic design, and cost estimates for a new experimental sciences building.—The Board authorized the Office of the Chancellor to establish a supplementary planning budget of \$100,000; to appropriate \$100,000 from Higher Education Assistance Funds to fund the supplementary planning budget; and to proceed with the planning of requirements, schematic design, and cost estimate for a new experimental sciences building.
2. TTU: Approve parking project.— The Board authorized the Office of the Chancellor to proceed with a 650-car expansion of the west commuter lots; to appropriate \$650,000 from Revenue Financing System proceeds (to be repaid by Traffic and Parking revenues) for the project budget; to prepare plans and specification documents for bidding and construction of the parking lots; to advertise for, and receive construction bids; and to award a construction contract.
3. TTU and TTUHSC: Approve parameters for determining level and form of supervision of construction projects. – The Board approved an amendment to *Board of Regents Policy 03.01.2*, revising the parameters for determining level and form of supervision of construction projects. Revisions to *Board of Regents Policy 03.01.02* are included herewith as Attachment No. 11.
4. TTU and TTUHSC: Approve the Facilities Construction and Deferred Maintenance Plan. – The Board authorized the Office of the Chancellor to submit to the Texas Higher Education Coordinating Board the Facilities Construction and Deferred Maintenance Master Plan for both Texas Tech University and Texas Tech University Health Sciences Center substantially in the form attached hereto as Attachment No. 12.
5. TTU: Approve golf course operations.— This item was withdrawn.
6. TTU: Approve renovation of Jones Stadium.— Subject to review by the special committee consisting of Regents Dick Brooks, John Jones (chair),

Nancy Jones and Alan White, the Board authorized the Office of the Chancellor to expand the scope of the previously approved renovation of Jones Stadium from \$49.5 million to a total project budget of \$75 million and, because of the seasonal nature of the sport, to develop the project in two stages with the Stage One budget to be established at a maximum total project cost of \$20 million for the planning, design, bid, and construction of Stage One; to submit documents to the Texas Higher Education Coordinating Board for approval and, upon receiving such approval, to select a construction manager-at-risk for the project through the competitive sealed proposal process and to award construction contracts for Stage One (conditioned on raising sufficient money from private sources to fund and/or pay the debt service through the Revenue Financing System on the finally determined total project cost [at \$20 million or less] of Stage One of the project) all as set out in *Board Policy 03.01.e*.

The Office of the Chancellor also recommends that it be authorized to retain an Owner's Representative or Construction Manager-Agent for the project through the process of Request for Qualifications and Request for Proposals.

7. TTUHSC: Approve new Academic Building/Clinic at Amarillo.— The Board approved the revised project scope for the new Amarillo clinic to include only the construction of a new multi-story Academic Building and Clinic; approved a reduction to the budget from \$30 million to \$21.825 million; authorized submission of documents reflecting the revised project to the Texas Higher Education Coordinating Board for approval; and; upon approval by the Texas Higher Education Coordinating Board, be authorized (a) to proceed with contract documents and receipt of bids for construction; and (b) to award a construction contract.

The board accepted the following reports:

8. Report by Mr. West on the campus master parking plan, included herewith as Attachment No. 13.
9. Report by Mr. Crowson and Ms. Lonngren on the operations of the Office of Facilities Planning and Construction, included herewith as Attachment No. 14.
10. Report from Deloitte and Touche on Texas Tech University Facilities Planning and Construction Organizational Analysis, Process Improvement and Technology Assessment, included herewith as Attachment No. 15.

- VII.G. AD HOC BOARD POLICY MANUAL REVIEW COMMITTEE REPORT--
Chairman Sowell called on Regent Nancy Jones who presented a brief report on the activities of the Ad Hoc Board Policy Manual Review Committee. Regent Jones distributed a handout to the board, included herewith as Attachment No. 16.
- VII.H. INVESTMENT ADVISORY COMMITTEE REPORT--Chairman Sowell called on Investment Advisory Committee Chair Robert Brown who, speaking from the material attached hereto as Attachment No. 17, presented the Investment Advisory Committee report.
- VII.I. ENROLLMENT MANAGEMENT REPORT--Chairman Sowell called on Dr. Michael Heintze, Vice President for Enrollment Management, who, speaking from the material attached hereto as Attachment No. 18, presented a report on the activities of the Enrollment Management Office.
- VII.J. REPORT ON SCHOLARSHIPS--Chairman Sowell called on Regent Weiss who presented a report on scholarships.
- VII.K. REPORT FROM THE CAMPUS CARE GIVERS COMMITTEE— Chairman Sowell called on Mrs. Debbie Montford who presented a report on the activities of the Campus Care Givers Committee.
- VII.L. REPORT AND DISCUSSION OF THE EXTERNAL PERCEPTIONS OF THE COLLEGE OF BUSINESS ADMINISTRATION—Chairman Sowell called on Regent Carin Barth who presented a report on the external perceptions of the College of Business Administration.
- VII.M. SCHEDULE FOR BOARD MEETINGS: Mr. Crowson presented the schedule for future Board meetings and asked for comments. The established schedule is as follows: December 9-10, 1999, Midland; February 10-11, 2000, Houston; May 11-12, 2000, Lubbock; August 10-11, 2000, Lubbock; October or November 2000, Lubbock; December 14-15, 2000, El Paso; February 8-9, 2001, San Antonio; May 10-11, 2001, Lubbock.
- VII.N. CHANCELLOR'S REPORT--Chairman Sowell called on Chancellor Montford who presented the Chancellor's Report.
- VII.O. ADJOURNMENT--Chairman Sowell adjourned the meeting at approximately 12:53 p.m.

INDEX OF ATTACHMENTS

Attachment 1	Chancellor's Introductions
Attachment 2	Bylaws, School of Allied Health, Texas Tech University Health Sciences Center
Attachment 3	Budget and Salary Adjustments, Texas Tech University
Attachment 4	<i>Board of Regents Rules, Sections 01 and 09</i>
Attachment 5	Seventh Supplemental Resolution to the Master Resolution
Attachment 6	<i>Board of Regents Policy 08.01, Admission, Section 7</i>
Attachment 7	<i>Board of Regents Policy 08.01 and 08.01.10, Admission</i>
Attachment 8	Report by Dr. Jane E. Winer
Attachment 9	Report by Dr. David Schmidly
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Attachment 11	Parameters for Determining Level and Form of Supervision of Construction Projects
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Attachment 13	Report by Mr. West
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Attachment 17	Investment Advisory Committee Report
Attachment 18	Enrollment Management Report
Attachment 19	Chancellor's Report

I, James L. Crowson, the duly appointed and qualified Assistant 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 Board of Regents meeting on October 1, 1999.

James L. Crowson
Assistant Secretary