

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
November 1-2, 2001

Thursday, November 1, 2001.—The members of the Board of Regents of the Texas Tech University System convened at 9:00 a.m. on Thursday, November 1, 2001, at the Canyon House, County Line Restaurant, FM2641 one-half mile west of I-27, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

Regents present were J. Robert Brown, Chairman; Nancy E. Jones, Vice Chairman; C. Robert Black; E. R. "Dick" Brooks; John W. Jones; David R. Lopez; Brian C. Newby and J. Michael Weiss. Carin Barth arrived at the conclusion of the workshop/retreat.

Also participating at the opening of the meeting were David R. Smith, Interim Chancellor and President, Texas Tech University Health Sciences Center; Elizabeth Haley, Deputy Chancellor for System Operations; David Schmidly, President, Texas Tech University; Pat Campbell, Vice Chancellor and General Counsel; Jim Brunjes, Chief Financial Officer; Mike Ellicott, Vice Chancellor for Facilities Planning and Construction, TTUS; Cindy Rugeley, Vice Chancellor for News and Publications, TTUS; Mike Sanders, Vice Chancellor for Governmental Relations, TTUS; Martha Brown, Associate Vice Chancellor for Governmental Relations, TTU; Richard Butler, Vice President for Operations, TTUHSC; Elmo Cavin, Executive Vice President, TTUHSC; Lynda Gilbert, Vice President for Fiscal Affairs, TTU; Robert Woodson, Assistant Vice President for Health and Planning, TTUHSC; Gene Binder, Senior Executive Assistant to the President and Chief of Staff, TTU; Ben Lock, Executive Assistant to the Chancellor and the Board of Regents; and Lucy Lanotte, Executive Secretary to the Board of Regents.

- I. CALL TO ORDER.—Chairman Brown announced a quorum present and called the meeting to order.

- II. RETREAT.—The board met as a Committee of the Whole for informal discussions of the strategic planning process in a workshop/retreat forum at which no action was taken. At the conclusion of the workshop, the board determined that further discussions were necessary and scheduled a workshop/retreat for this purpose for Thursday, December 13, in Lubbock. The

Board also requested that the board's Strategic Planning Committee (Regents Brooks (chair), Black and Lopez) select and work with a facilitator to conduct the workshop/retreat.

- III. RECESS TO EXECUTIVE SESSION.—At approximately 11:20 a.m., at the direction of Chairman Brown, the board recessed and convened in Executive Session as authorized by Chapter 551 of the *Texas Government Code*.
- IV. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 4:20 p.m., the board reconvened in open session in the Canyon House, County Line Restaurant, FM 2641 one-half mile west of I-27, Lubbock, Texas, for the purpose of recessing.
- V. RECESS.—The board recessed from the workshop/retreat at 4:20 p.m.

Friday, November 2, 2001.—The members of the Board of Regents of the Texas Tech University System convened at 9:00 a.m. on Friday, November 2, 2001, 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 J. Robert Brown, Chairman; Nancy E. Jones, Vice Chairman; Carin Barth; C. Robert Black; E. R. "Dick" Brooks; John W. Jones; David R. Lopez; Brian C. Newby and J. Michael Weiss.

Also participating at the opening of the meeting were David R. Smith, Interim Chancellor and President, Texas Tech University Health Sciences Center; Elizabeth Haley, Deputy Chancellor for System Operations; David Schmidly, President, Texas Tech University; Pat Campbell, Vice Chancellor and General Counsel; Jim Brunjes, Chief Financial Officer; Ben Lock, Executive Assistant to the Chancellor and the Board of Regents; and Lucy Lanotte, Executive Secretary to the Board of Regents.

- VI. CALL TO ORDER.—Chairman Brown announced a quorum present and called the meeting to order.
- VII. INTRODUCTIONS AND RECOGNITIONS.—Chairman Brown called on Dr. Smith and Dr. Schmidly for the introductions and recognitions. Dr. Smith introduced Richard Homan, M.D., chair of the Department of Family and

Community Medicine at TTUHSC, who has accepted the position of the dean of the Texas Tech School of Medicine and the Graduate School of Biomedical Sciences. Dr. Smith introduced David H. Godfried, M.D., assistant professor and director of the Children's Orthopedic Clinic at the Texas Tech University Medical Center. Dr. Godfried has academic appointments in the Department of Orthopedic Surgery and Pediatrics and has been a member of the faculty since August 1999. Dr. Godfried was recently awarded the Underwood Endowment Chair in Orthopedics. Dr. Smith introduced Tyrone F. Borders, Ph.D., an assistant professor of Health Services Research and Management in the School of Medicine. Dr. Borders teaches graduate level courses on health care organization and health services epidemiology to students from a variety of programs, including health services research, medicine, public administration and health organization management. Much of Dr. Borders' research involves the conduct and analysis of large population-based surveys, such as the Texas Tech 5000, a survey of 5,000 older west Texans' health status and health care accessibility.

Dr. Schmidly introduced Allen McInnes, the new dean of the College of Business Administration. Dr. Schmidly also introduced Coach Bob Knight who thanked the board for its support of Gerald Myers and the men's basketball program at Texas Tech University. Coach Knight also distributed a handout to the board on the status of Tech athletics. Dr. Schmidly introduced the team of students who represented Texas Tech at the Reduced Gravity Student Flight Opportunity at the NASA Johnson Space Center. Team members include Jana Brewer, James Rogge, Gayle Polansky, Margaret Morgan and Seth Atkins. The faculty advisor of the group is Dr. Simon Hsiang. Dr. Schmidly also introduced Max Hinojosa, who is the new vice president for operations.

- VIII. RECESS TO EXECUTIVE SESSION.—At approximately 9:18 a.m., at the direction of Chairman Brown, the board recessed and convened in Executive Session as authorized by Chapter 551 of the *Texas Government Code*.

- IX. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 10:17 a.m., the board reconvened in open session in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas, for the purpose of recessing into Standing Committee Meetings.

- X. RECESS TO STANDING COMMITTEES.—At approximately 10:17 a.m., at the direction of Chairman Brown, the board recessed into meetings of its standing committees, which were conducted sequentially in open session. The Academic, Clinical and Student Affairs Committee met from approximately 10:17 a.m. until approximately 10:55 a.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas; the

Finance and Administration Committee met from approximately 10:55 a.m. until approximately 11:30 a.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas; and the Facilities Committee met from approximately 11:30 a.m. until approximately 11:35 a.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas.

XI. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 11:35 a.m. on Friday, November 2, 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 board and in the Committee of the Whole.

XI.A. APPROVAL OF MINUTES.—Regent Barth moved that the minutes of the board meeting held on August 10, 2001 be approved. Regent Lopez seconded the motion, and the motion passed unanimously.

XI.B. COMMITTEE OF THE WHOLE

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

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

XI.B.1.a. TTU: Approve leave of absence.—The board approved the following leave of absence that had been approved administratively by the president and the chancellor: Leave without pay for Terence Ahern, associate professor, College of Education, for the period September 1, 2001 through May 31, 2002. The purpose of the leave is to conduct a series of distinguished lectures at California State University in Monterey, California.

XI.B.1.b. TTU: Approve employee appointments to non-elective positions. – The board approved the following appointments to non-elective positions that had been approved administratively by the president and the chancellor.

Marilyn Phelan, Ph.D., J.D., Robert H. Bean professor at the Texas Tech University School of Law, appointed as Texas Commissioner to the National Conference on Uniform State Laws by the Honorable Rick Perry, for a term to expire on September 30, 2006.

Brian Shannon, J.D., associate dean and professor at the Texas Tech University School of Law, appointed to the Task Force to Review Methods and Procedures Used to Evaluate Criminal Defendant's Competency to Stand Trial, by the Honorable Rick Perry, for a term to expire on February 1, 2003.

In connection with the approval of the appointments, the board also found with respect to each appointee that (i) their service is of benefit to the State of Texas and Texas Tech University; and (ii) their service does not conflict with their respective positions of employment at Texas Tech University.

- XI.B.1.c. TTUHSC: Approve appointment to the Board of Managers of the Lubbock County Hospital District.—The board approved the appointment of Dr. Richard V. Homan as a non-voting member of the Lubbock County Hospital District Board of Managers that had been approved administratively by the president and the chancellor.

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

Information Agenda

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

- (1) TTU: Small Class Reports, Summer I and Summer II, 2001, per Section 04.10, *Regents' Rules*: "A report on small classes offered shall be reported to the board as information."
 - (a) TTU: Report dated Summer I 2001; and
 - (b) TTU: Report dated Summer II 2001.
- (2) TTUHSC: Contract Renewals per Section 07.12.4.b., *Regents' Rules*: "Approval of the president is required for all contract renewals. A list of those renewal contracts greater than \$1,000,000 per annum, including the amount of the contract, will be provided to the board as an information item at the next regular board meeting."

- (a) Cogdell Memorial Hospital; on-site TDCJ health care services for Daniel Unit; 9/1/01-8/31/03; \$1,462,000;
- (b) Covenant Hospital Plainview; on-site TDCJ health care services for Formby Unit; 9/1/01-8/31/03; \$1,034,000;
- (c) Hendrick Medical Center; extend Family Practice Residency Training Program two years; 8/1/98-6/30/03; \$2,089,222;
- (d) Midland Co. Hospital District; resident funding, Memorial Hospital & Medical Center; 10/1/01-9/30/02; \$1,343,762;
- (e) Mitchell County Hospital; on-site TDCJ health care services for Wallace Unit & 3 Work Camps; 9/1/01-8/31/03; \$1,300,000;
- (f) Texas Department of Health; HIV Pediatric Surveillance Amend Att. 06A; 10/1/00-9/30/01; \$1,047,622;
- (g) Texas Youth Commission; extend provision of health care services for TYC facilities for three months; 9/1/99-11/30/01; \$5,234,206;
- (h) R.E. Thomason General Hospital; emergency medicine physician services; 10/1/01-9/30/02; \$3,610,850; and
- (i) R.E. Thomason General Hospital; residents agreement; 7/1/01-6/30/02; \$6,328,552.

(3) TTUHSC: School of Medicine Faculty Employment Contracts per Section 07.12.4.c, *Regents' Rules*: "Approval of the president is required for faculty employment contracts greater than \$100,000 per annum. A list of all faculty employment contracts greater than \$100,000 per annum will be provided to the board as an information item at the next board meeting."

- (a) *Flood-Shaffer, Kellie, M.D., Assistant Professor/NTT; Ob/Gyn, Lubbock; 8/1/01-8/31/01; \$165,000;
- (b) Ghaleb, Melhem R., M.D., Assistant Professor/NTT; Radiology, El Paso; 8/1/01-7/31/03; \$400,000;
- (c) Gupta, Mukesh, M.D., Instructor/NTT; Anesthesiology, Lubbock; 12/1/01-8/31/02; \$150,000;
- (d) *Halldorsson, Ari, M.D., Associate Professor/TT; Surgery, Lubbock; 7/1/01-8/31/01; \$254,000;
- (e) Hines, Kathryn, J.D., Assistant Professor/NTT; Internal Med/Neuropsychiatry, Lubbock; 9/1/01-8/31/02; \$100,000;
- (f) *Islas, Arthur A., M.D., Instructor/NTT; Family Medicine, El Paso; 7/16/01-8/31/01; \$120,000;
- (g) *Khatchadourian, Joseph, J.D., Assistant Professor/NTT; Internal Medicine, Odessa; 7/2/01-8/31/01; \$120,000;
- (h) Lim, Seah H., M.D., Ph.D., Professor/TT; Internal Medicine, Amarillo; 9/1/01-8/31/03; \$220,000;
- (i) Maldonado, Elaine, M.D., Instructor/NTT; Pediatrics, Lubbock; 8/6/01-8/31/02; \$107,500;
- (j) Peterson, William, M.D., Assistant Professor/NTT; Ob/Gyn, El Paso; 10/1/01-8/31/02; \$163,000;
- (k) Prieto-Jimenez, Carmen, M.D., Assistant Professor/NTT; Pediatrics, El Paso; 7/15/01-8/31/02; \$110,000;
- (l) Sabbar, David, M.D., Assistant Professor/NTT; Radiology, Lubbock; 8/1/01-7/31/02; \$250,000;
- (m) Springmann, Kurt, M.D., Assistant Professor/NTT; Anesthesiology, Lubbock; 10/15/01-8/31/02; \$195,000;
- (n) Tello, Wael, M.D., Assistant Professor/NTT; Internal Medicine, Lubbock; 9/1/01-8/31/02; \$130,000;

- (o) Terreros, Daniel, M.D., Ph.D., Professor/Regional Chair/Tenured; Pathology, El Paso; 9/1/01-8/31/02; \$270,000;
- (p) Vasconcello, Norma, M.D., Instructor/NTT; Pediatrics, El Paso; 8/27/01-8/31/02; \$100,000; and
- (q) *Woo-Telles, Argelia, M.D., Instructor/NTT; Family Medicine, El Paso; 7/16/01-8/31/01; \$120,000.

*Faculty contracts may be automatically renewed in FY 2002.

The motion was seconded and passed unanimously.

- XI.B.2. TTUS: Approve appointment of member to the Board of Directors of Texas Tech Foundation, Inc.—Regent Nancy Jones called on Deputy Chancellor Haley who presented the item regarding the appointment of Jack Hightower of Midland, Texas to fill the seat vacated by the resignation of David Hassler on the Board of Directors of Texas Tech Foundation, Inc. Mr. Hightower will serve the remainder of David Hassler’s unexpired term, beginning November 5, 2001 and ending August 31, 2003.

Regent Nancy Jones moved that the board approve the appointment. The motion was seconded, and passed unanimously.

- XI.B.3. TTU: Approve mission and vision statements.—Regent Nancy Jones called on Dr. Schmidly who presented the item to approve Texas Tech University’s mission and vision statements as follows:

MISSION STATEMENT

Committed to teaching and the advancement of knowledge, Texas Tech University, a comprehensive public research university, provides the highest standards of excellence in higher education, fosters intellectual and personal development, and stimulates meaningful research and service to humankind.

VISION STATEMENT

Texas Tech University will be a national leader in higher education—manifesting excellence, embracing diversity, inspiring confidence, and engaging society. The university aspires to a national recognition of excellence and performance in scholarship through teaching, research, and service.

Regent Nancy Jones moved that the board approve the item. The motion was seconded, and passed unanimously.

XI.B.4. TTU: Reaffirm the managerial group for the protection of classified information and update statement of self-exclusion of the Board of Regents regarding security clearances.—Regent Nancy Jones called on Dr. Schmidly who presented the item to approve the resolution for reaffirmation of the Managerial Group regarding industrial security clearances, as provided for in Department of Defense 5220.22-M, National Industrial Security Program Operating Manual, 2-104 and 2-106.

Action at the May 11, 2001, Board of Regents meeting excluded all current Board members and reaffirmed the Managerial Group. The facility security clearance only covers Texas Tech University. Information provided in the May 11, 2001, resolution, however, included Texas Tech University Health Sciences Center and administrators from the Health Sciences Center. The following resolution is to correct the information contained in the May 11, 2001, resolution.

RESOLVED, that those persons occupying the following positions at Texas Tech University be known as the Managerial Group, having the authority and responsibility for the negotiation, execution and administration of User Agency contracts, as described in Department of Defense 5220.22-M, National Industrial Security Program Operating Manual:

President
Vice President for Research,
Graduate Studies, and Technology Transfer
Associate Vice President for Research
(Facility Security Officer)

RESOLVED, that the Managerial Group is hereby delegated all of the Board's duties and responsibilities pertaining to the protection of classified information under classified contracts of the Department of Defense or User Agencies of the Industrial Security Program awarded to Texas Tech University;

Regent Nancy Jones moved that the board approve the resolution for reaffirmation of the Managerial Group regarding industrial security clearances as stated. The motion was seconded, and passed unanimously.

XI.B.5. TTUS: Approve appointment of secretary and assistant secretary of the Board of Regents.—Regent Nancy Jones presented the item to appoint a secretary and an assistant secretary of the Board of Regents in accordance with the provisions of Section 01.01.6, *Regents' Rules*, as follows:

In addition to their present duties, Ben Lock, executive assistant to the chancellor and the Board of Regents, and Lucy Lanotte, executive secretary to the Board of Regents, shall assume the duties of secretary of the Board of Regents and assistant secretary of the Board of Regents, respectively, effective this date.

Regent Nancy Jones moved that the board approve the appointments. The motion was seconded, and passed unanimously.

Vice Chair Nancy Jones stated that consideration of items by the Committee of the Whole was concluded.

XI.C. REPORT OF EXECUTIVE SESSION

Chairman Brown called on Vice Chair Nancy Jones to present motions regarding items discussed in Executive Session.

Vice Chair Jones moved that the Vice Chancellor and General Counsel or his Designee be authorized to settle Case No. [L] 99-507-800 within the parameters discussed in Executive Session. The motion was seconded, and passed unanimously.

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

Chairman Brown called on Regent Newby, Chair, to give the report of the Academic, Clinical and Student Affairs Committee.

Committee Chairman Newby 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 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 Texas Tech University System.

- XI.D.1. TTU: Approve conferral of an honorary degree.—The board approved the conferral of an honorary degree, Doctor of Humane Letters Honoris Causa, upon Allan Bromley at the commencement ceremony on December 15, 2001.
- XI.D.2. TTU: Approve appointments with tenure and continuing appointment.—The board approved the granting of tenure to the

following faculty of Texas Tech University contemporaneously with their appointments:

Alfredo Benavides, Ph.D., new associate professor in the Division of Curriculum and Instruction, College of Education. Dr. Benavides was previously tenured as an Associate Professor at Arizona State University.

Eva Midobuche, Ph.D., new associate professor in the Division of Curriculum and Instruction, College of Education. Dr. Midobuche was previously an assistant professor at the Arizona State University.

The Board of Regents also approved granting of continuing appointment to:

Donald Dyal, Ph.D., new Dean of Libraries. Dr. Dyal was previously tenured as the Director of the Cushing Library at Texas A&M University.

- XI.D.3. TTU: Approve appointment of representative to the Bureau of Alcohol, Tobacco and Firearms.—The board revoked the appointment of Dr. Jerry L. Mills as the University representative to the Bureau of Alcohol, Tobacco and Firearms for the purchase and dispensing of tax-free alcohol for teaching and research and approved the appointment of the chair of the Department of Chemistry/Biochemistry (currently Dr. Richard Bartsch) to that position to replace Dr. Jerry L. Mills who has retired from the university.
- XI.D.4. TTUHSC: Approve emeritus appointment.—The board authorized granting the title of “professor emeritus” to James J. McGrath, Ph.D., professor, Department of Physiology, School of Medicine.
- XI.D.5. TTU: Approve contract between Texas Tech University and the National Institute for Engineering Ethics.—The board authorized the president to enter into an agreement with the National Institute for Engineering Ethics (“NIEE”) for a five year period at a cost of \$45,000 per year.

Texas Tech will commit \$45,000/year for five years toward the operation of NIEE. The provost and College of Engineering have been providing \$30,000 per year for the last two years to support the Murdough Center’s hosting of NIEE during a transitional period. This level of support will continue. The president has agreed to provide an additional \$15,000 to meet the overall commitment. During these first 5 years, the university, through the development

efforts of the College of Engineering, will seek to establish a permanently endowed fund of approximately two million dollars so that the Institute can become self-sufficient.

- XI.D.6. TTU: Report on student seating and services at the United Spirit Arena.—The board accepted a report by Dr. Michael Shonrock, vice president for student affairs, on student seating and services at the United Spirit Arena, included herewith as Attachment No. 1.
- XI.D.7. TTU: Annual report on research activities for FY 2001.—The board accepted an annual report by Dr. Robert Sweazy, vice president for research, graduate studies and technology transfer, on research activities at Texas Tech University, included herewith as Attachment No. 2.
- XI.D.8. TTU: Report on enrollment management.—The board accepted a report by Dr. Michael Heintze, vice president for enrollment management, on enrollment management, included herewith as Attachment No. 3.
- XI.D.9. TTU: Report on the reorganization of the Department of Athletics.—The board accepted a report by Dr. Schmidly on the reorganization of the Department of Athletics, included herewith as Attachment No. 4.
- XI.D.10. TTU: Report on the use of museum art for public display. – The board accepted a report by Dr. Schmidly on the use of catalogued museum art for public display on the Texas Tech campus, included herewith as Attachment No. 5.
- XI.D.11. TTUHSC: Report by the School of Nursing on federal initiatives. – The board accepted a report by Dr. Alexia Green, dean of the School of Nursing, on nursing federal initiatives, included herewith as Attachment No. 6.

XI.E. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

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

Regent Brooks 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 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 Texas Tech University System.

XI.E.1. TTU: Approve FY 2002 research excellence operating budget.—The board approved the Fiscal Year 2002 operating budget for the funds appropriated in House Bill 1839, Regular Session, 77th Legislature, included herewith as Attachment No. 7.

XI.E.2. TTU: Approve purchase of printing press.—The board approved the purchase of a six-color printing press. The estimated cost of the press, floor preparation, and electrical is \$1,400,000. PrinTech will pay for the press from “service for fee” revenue over a 10-year period, with an approximate annual payback of \$163,000 per year. The university will issue commercial paper for this purchase and will be paid back with interest, per a debt service schedule from Cash Investments.

XI.E.3. TTU: Approve increase in tuition for the School of Law. – The board approved, under the authority of Senate Bill 1814, 77th Legislature, raising tuition at the School of Law from \$160/hour to \$240/hour beginning with the Fall 2002 semester and dedicating the resources generated by the increase to the School of Law.

The increase in tuition to the full amount will generate approximately \$1.5 million. The proposed expenditure of funds would be as follows:

1. \$800,000 law library support
2. \$200,000 two additional law faculty
3. \$400,000 additional scholarship support
4. \$100,000 participation in Cooperative Summer Law Institute Among Texas Law Schools

XI.E.4. TTUHSC: Approve increase in tuition for the School of Pharmacy.—The board approved the increase in board-authorized tuition for students in the Pharm.D. program of the School of Pharmacy from \$42 per semester credit hour to \$63 per semester credit hour for the Spring semester 2002 and from \$63 to \$84 per semester credit hour for the Summer 2002 term.

XI.E.5. TTUS: Approve transfer of funds from TTUS to TTU and TTUHSC.—The board approved the reduction of the TTUS budget by \$1,001,225 for FY 2002. The reduction in funds will be returned to Texas Tech University (\$551,995) and Texas Tech University Health Sciences Center (\$449,230) for use in their respective academic programs.

XI.E.6. TTUS/TTU/TTUHSC: Approve amended and restated Seventh Supplemental Resolution to the Master Resolution.—The board

approved the Seventh Supplemental Resolution to the Master Resolution, included herewith at Attachment No. 8, authorizing the issuance, sale, and delivery of up to \$143,000,000 of Board of Regents of Texas Tech University Revenue Financing System Bonds, Seventh Series (2001) and approving and authorizing instruments and procedures relating thereto.

The Board of Regents also approved the following:

- (i) designating Paine Webber as senior managing underwriter for the issuance of the proposed bonds.
- (ii) selecting the firm of McCall, Parkhurst, & Horton L.L.P. to serve as Bond Counsel; and
- (iii) designating its Finance and Administration Committee, Chancellor, and Chief Financial Officer as the Pricing Committee and authorizing the Pricing Committee to negotiate with the senior managing underwriter acting on behalf of the other investment banking firms, approved by the Board of Regents Finance and Administration Committee, to assure that the bonds are sold on the most advantageous terms to the Board.

Further, the Board of Regents also authorized the Pricing Committee to establish the aggregate principal amount of the Texas Tech University Revenue Financing System Bonds, Seventh Series (2001), in an amount not to exceed \$143,000,000, which amount shall be sufficient to provide for:

- (i) acquiring, purchasing, constructing, improving, renovating, enlarging or equipping property, buildings, structures, facilities, roads, or related infrastructure for Texas Tech University and Texas Tech University Health Sciences Center, and
- (ii) paying the costs relating to the issuance of the bonds.

XI.E.7. TTUS/TTU/TTUHSC: Approve amended and restated Eighth Supplemental Resolution to the Master Resolution.—The board approved the Eighth Supplemental Resolution to the Master Resolution, included herewith as Attachment No. 9, authorizing the issuance, sale, and delivery of up to \$43,000,000 of Board of Regents of Texas Tech University Revenue Financing System Bonds, Eighth Series (taxable 2001) and approving and authorizing instruments and procedures relating thereto.

The Board of Regents also approved the following:

- (i) designating Paine Webber as senior managing underwriter for the issuance of the proposed bonds.
- (ii) selecting the firm of McCall, Parkhurst, & Horton L.L.P. to serve as Bond Counsel; and
- (iii) designating its Finance and Administration Committee, Chancellor, and Chief Financial Officer as the Pricing Committee and authorizing the Pricing Committee to negotiate with the senior managing underwriter acting on their behalf and behalf of other investment banking firms, approved by the Board of Regents Finance and Administration Committee, to assure that the bonds are sold on the most advantageous terms to the Board.

Further, the Board of Regents authorized the Pricing Committee to establish the aggregate principal amount of the Texas Tech University Revenue Financing System Bonds, Eighth Series (taxable 2001), in an amount not to exceed \$43,000,000, which amount shall be sufficient to provide for:

- (i) acquiring, purchasing, constructing, improving, renovating, enlarging or equipping property, buildings, structures, facilities, roads, or related infrastructure for Texas Tech University and Texas Tech University Health Sciences Center, and
- (ii) paying the costs relating to the issuance of the bonds.

XI.F. REPORT OF THE FACILITIES COMMITTEE

Chairman Brown called on Regent John Jones, Chair, to give the report of the Facilities Committee.

Committee Chairman John 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 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 Texas Tech University System.

- XI.F.1. TTU: Authorize revision of project budgets for Jones SBC Stadium renovation Stage IIA and III.—This item was withdrawn.
- XI.F.2. TTUHSC: Accept major gift-in-kind and approve purchase of land and facilities located in El Paso, Texas.—The board authorized the chancellor to accept as a gift-in-kind for the benefit of the Texas Tech University Health Sciences Center at El Paso a 10.682 acre parcel of land described as Tract 25B and 25C, Elijah Bennett Survey #11, El Paso County, Texas, valued at \$1,396,000, from J. O. Stewart of El Paso, Texas. The land will be used as the location to construct a new Research Facility. An Environmental Phase I Assessment of the property has been completed. No further studies are necessary.
- Further, the board authorized the chancellor, within the parameters discussed in Executive Session, (1) to conclude negotiations and enter into an agreement for the purchase of a 3.236 acre parcel of land, described as tract 25D, Elijah Bennett Survey #11, El Paso County, Texas; (2) to prepare documents for submittal to the Texas Higher Education Coordinating Board for approval; and upon approval, (3) to proceed with the purchase of the property to allow constructing a new Research Center and to allow for future growth. An Environmental Phase I Assessment on this property has been completed. An Environmental Phase II Assessment is in progress. The purchase price will be contingent on the results of the Phase II Assessment. The Health Sciences Center has obtained the two property appraisals required for Texas Higher Education Coordinating Board approval.
- XI.F.3. TTUS: Approve mutual termination of fire station lease agreement.—The board authorized the termination of the lease agreement dated June 26, 1998, that had been entered into between the Texas Tech University System and the City of Lubbock for the lease of land on the Texas Tech campus for the construction and operation of a fire station by the City.
- XI.F.4. TTUS: Report on Office of Facilities Planning and Construction projects.—The board accepted a report by Mr. Ellicott on the facilities planning and construction projects, included herewith as Attachment No. 10.
- XI.G. SCHEDULE FOR BOARD MEETINGS.—Mr. Ben Lock presented the proposed schedule for future board meetings and asked for comments. The schedule was amended and adopted as follows: December 13-14, 2001, Lubbock (proposed); ~~March 7-8, 2002, Austin~~ February 28-March 1, 2002, Odessa (proposed); May 9-10, 2002, Lubbock; August 8-9, 2002, Lubbock (at TTUHSC); November 14

(workshop/retreat)-15, 2002, Lubbock; December 19-20, 2002, Junction; February 6-7, 2003, Fort Worth/Arlington; May 15-16, 2003, Lubbock.

The board approved Lubbock as the location for the December 13-14, 2001 board meeting and retreat, and determined to further discuss future board meeting dates and locations at the December retreat.

- XI.H. THE PRESIDENT'S REPORT, TTU.—Chairman Brown called on President Schmidly who presented the President's Report, included herewith as Attachment No. 11.

- XI.I. THE PRESIDENT'S REPORT, TTUHSC.—Chairman Brown called on President Smith who presented the President's Report, included herewith as Attachment No. 12.

- XI.J. CHANCELLOR'S REPORT.—Chairman Brown called on Interim Chancellor Smith who presented the Chancellor's Report, included herewith as Attachment No. 13.

- XI.K. CHAIRMAN'S ANNOUNCEMENTS.—Chairman Brown announced the appointment of the Chancellor Search Committee, composed of Robert Black as chair, Carin Barth, Dr. Nancy Jones, and Brian Newby. Chairman Brown further noted that the duties of the Chancellor Search Committee shall be to solicit and review qualified candidates for the position of chancellor and to recommend one or more final candidates for consideration by the board. The Chancellor Search Committee shall also establish an Advisory Committee, composed of 10 to 15 members who are representatives of various Texas Tech constituent groups. The Advisory Committee, at the direction of the Chancellor Search Committee, is to assist the search committee in seeking out chancellor prospects and reviewing candidates.

- XI.L. ADJOURNMENT.—Chairman Brown adjourned the meeting at approximately 12:05 p.m.

INDEX OF ATTACHMENTS

Attachment 1	TTU Report on student seating and services at the United Spirit Arena
Attachment 2	TTU Annual report on research activities for FY 2001
Attachment 3	TTU Report on enrollment management
Attachment 4	TTU Report on the reorganization of the Department of Athletics
Attachment 5	TTU Report on the use of museum art for public display
Attachment 6	TTUS Report on the School of Nursing on federal initiatives
Attachment 7	TTU Fiscal Year 2002 operating budget
Attachment 8	TTUS/TTU/TTUHSC Seventh Supplemental Resolution to the Master Resolution
Attachment 9	TTUS/TTU/TTUHSC Eighth Supplemental Resolution to the Master Resolution
Attachment 10	TTUS Report on the Office of Facilities Planning and Construction projects
Attachment 11	TTU President's Report
Attachment 12	TTUHSC President's Report
Attachment 13	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 November 1-2, 2001.

Ben Lock
Secretary

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