

TEXAS TECH UNIVERSITY SYSTEM
Lubbock, Texas

Minutes

Board of Regents
November 14-15, 2002

Thursday, November 14, 2002.—The members of the Board of Regents of the Texas Tech University System convened at 9:00 a.m. on Thursday, November 14, 2002, in 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 Chair; 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 Dr. David R. Smith, Chancellor, TTU System; Dr. David Schmidly, President, Texas Tech University; Mr. Elmo Cavin, Acting President, Texas Tech University Health Sciences Center; Mr. Jim Brunjes, Chief Financial Officer, TTUS; Mr. Richard Butler, Senior Vice Chancellor, TTUS; Mr. Ben Lock, Senior Vice Chancellor, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; Dr. John Opperman, Vice Chancellor for Policy and Planning, TTUS; Mr. Mike Sanders, Vice Chancellor for Governmental Relations, TTUS; Ms. Cindy Rugeley, Vice Chancellor for News and Publications, TTUS; Dr. William Marcy, Provost, TTU; 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 and related matters in a workshop/retreat forum at which no action was taken.
- III. RECESS TO EXECUTIVE SESSION.—At approximately 1:55 p.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 5:30 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 5:30 p.m.

Friday, November 15, 2002.—The members of the Board of Regents of the Texas Tech University System convened at 9:00 a.m. on Friday, November 15, 2002, 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 Dr. David R. Smith, Chancellor, TTU System; Dr. David Schmidly, President, Texas Tech University; Mr. Elmo Cavin, Acting President, Texas Tech University Health Sciences Center; Mr. Jim Brunjes, Chief Financial Officer, TTUS; Mr. Richard Butler, Senior Vice Chancellor, TTUS; Mr. Ben Lock, Senior Vice Chancellor, TTUS; Mr. Pat Campbell, Vice Chancellor and General Counsel, TTUS; 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 recognized Dr. David Schmidly on his election into the Texas Science Hall of Fame; Mr. Mark Lindemood, new Vice Chancellor for Institutional Advancement for the TTU System; Katricia Collins, a Health Sciences Center student who has been selected to participate in the American Speech-Language-Hearing Association’s Minority Student Leadership Program; and Mr. Roy Middleton, president of the Texas Tech Alumni Association Board, who noted the tradition of presenting special Alumni Association watches to the new regents on the board and then presented watches to Regents Black and Lopez.

Dr. Schmidly recognized Marsha Sharp, head coach of the Lady Raiders, upon her selection for induction into the Women’s Basketball Hall of Fame in the spring

of 2003; and Dr. John Abernathy, dean of the College of Agricultural Sciences and Natural Resources, upon his appointment to the U.S. Department of Agriculture's National Agricultural Research, Extension, Education and Economics Advisory Board.

- VIII. EXECUTIVE SESSION.—At approximately 9:10 a.m., the board recessed and convened into Executive Session as authorized by Chapter 551 of the *Texas Government Code*.
- IX. RECONVENING OF THE BOARD TO OPEN SESSION.—At approximately 9:35 a.m. on Friday, November 15, 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 meetings of its Standing Committees.
- X. RECESS TO STANDING COMMITTEES.—At approximately 9:35 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 Facilities Committee met from approximately 9:35 a.m. until approximately 10:45 a.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas; the Academic, Clinical and Student Affairs Committee met from approximately 10:46 a.m. until approximately 11:10 a.m. in the Board Room, Second Floor, Room 201, Administration Building, Akron and Broadway Avenues, Lubbock, Texas; and the Finance and Administration Committee met from approximately 11:10 a.m. until approximately 11:15 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 11:15 a.m. on Friday, November 15, 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 Lopez moved that the minutes of the board meeting held on August 8, 2002 be approved. Regent Brooks 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 employee appointment to non-elective position.—The board approved the following employee appointment to a non-elective position, as approved administratively by the president and the chancellor.

John Abernathy, Ph.D., dean, College of Agricultural Sciences and Natural Resources, appointed to the National Agricultural Research, Extension, Education, and Economics Advisory Board by the Honorable Ann M. Veneman, U.S. Secretary of Agriculture, for a term to expire October 2005.

The board also found with respect to the appointee that his service is of benefit to the nation and Texas Tech University and that his service does not conflict with his position of employment at Texas Tech University.

XI.B.1.b. TTUHSC: Approve change in degree title from Master of Vocational Rehabilitation to Master of Rehabilitation Counseling.—The board approved the change in degree title of the existing Master of Vocational Rehabilitation (“MVR”) program to that of Master of Rehabilitation Counseling (“MRC”), as approved administratively by the president and the chancellor. Approval of this change in program and degree title will bring the Texas Tech program into closer alignment with other similar programs nationwide and with Texas Higher Education Coordination Board classification coding.

XI.B.1.c. TTUS: Approve amendments to Section 07.00, Definitions, and Section 07.13, HUBs, Regents’ Rules.—The board approved the following amendments to Section 07.00, Definitions, and Section 07.13, HUBs, *Regents’ Rules*, to adopt the change of name of the state commission overseeing HUB-related activities from the General Services Commission to the Texas Building

and Procurement Commission, as approved administratively by the chancellor.

(1) Amend Section 07.00, Definitions, subparagraph 2, as follows:

“07.00.2 “TBPC” means the Texas Building and Procurement Commission ~~“GSC” means the General Services Commission~~ of the state of Texas.”

(2) Amend the first sentence of Section 07.13.1, Board’s commitment, as follows:

“Board’s commitment. The board is committed to providing procurement and contracting opportunities to HUBs, and hereby directs the TTU system to promote compliance with the TBPC’s ~~GSC’s~~ promulgated rules and state legislation concerning HUBs. The chancellor shall designate an employee within the Office of Facilities Planning and Construction to carry out HUB-related procedures with regard to construction programs overseen at the system level.”

(3) Amend Section 07.13.2, HUB Coordinators, subparagraphs “b” and “d” as follows:

“b. report required information to the TBPC ~~GSC~~.”

“d. make a good faith effort to increase the award of goods and service contracts to HUBs in accordance with state legislation and the TBPC’s ~~GSC’s~~ promulgated rules.”

XI.B.1.d. TTUS: Approve amendments to Section 07.12, Regents’ Rules.—The board approved the following amendments to Section 07.12.2 and Section 07.12.5, *Regents’ Rules*, relating to contracting policies and procedures and the approval of consulting agreements as approved administratively by the chancellor.

(1) Amend Section 07.12.2.b., as follows:

“b. Board approval is required for contracts that provide for the services of a consultant with an initial consideration of more than \$15,000 ~~per annum~~ and all modifications increasing that contract. Approval is also required for any modification to a consulting contract where the initial consideration was \$15,000 or less and the modification will cause the total consideration to exceed \$15,000 ~~per annum~~.”

(2) Amend Section 07.12.5, as follows:

“07.12.5 Required approvals summary

<u>Contract Terms</u>	<u>Approval Required</u>
Contract of more than \$1,000,000 per annum	Board
Contracts that exceed four years unless contract can be terminated without cause with Notice of 120 days or less	Board
Consulting contracts over \$15,000 per annum and all modifications increasing that contract	Board
Modification to a consulting contract of \$15,000 per annum or less, if modification causes total consideration to exceed \$15,000 per annum .	Board
Initial placement of vending machines.	Board
Contracts of \$1,000,000 down to \$250,000 per annum	Chancellor
Contracts of \$250,000 or less per annum	President
Amendment or renewal of contracts	President
Faculty employment contracts over \$100,000 per annum	President
Faculty employment contract of \$100,000 or less per annum	Dean

Approval of the proposed amendments is required for the Board of Regents policies to conform to state statutes. *Texas Government Code*, Section 2254.021, defines a major consulting service contract as one “for which it is reasonably foreseeable that the value of the contract will exceed \$15,000.” As stated in the statute, the dollar amount is the total value of the contract, not a per annum value. The Board of Regents has followed the limits established in this section of the law to determine the dollar limits on consulting contracts that require board approval.

- XI.B.1.e. TTU: Accept major gift-in-kind to the College of Agricultural Sciences and Natural Resources.—The board accepted the following gift-in-kind for the benefit of the College of Agricultural Sciences and Natural Resources, as approved administratively by the president and the chancellor: One gram of porcine EGF and 300 milligrams of human EGF valued at \$275,200 from Alpharma, Animal Health of Fort Lee, New Jersey. EGF is a growth hormone used to stimulate and increase litter size in pigs and other vertebrates.

XI.B.1.f. TTUS: Approve commissioning of police officer.—The board approved commissioning Keith A. Miller as a police officer, effective August 26, 2002, as approved administratively by 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 and 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.”

TTU:

- (a) City Transit Management Company; amend agreement to provide additional on-campus and off-campus bus service to Texas Tech students to accommodate the enrollment growth that has and is expected to occur; 8/29/02-8/31/04; \$1,393,947.

TTUHSC:

- (b) Texas Department of Health; amend agreement for various family and community health services; 10/1/02-9/30/03; \$1,787,040;
- (c) R.E. Thomason General Hospital; renewal of Medical Services Agreement; 9/1/01-8/31/02; \$4,807,535;
- (d) Texas Higher Education Coordinating Board; Family Practice Residency Program funding (all campuses); 9/1/01-8/31/02; \$1,294,060;
- (e) Childress Regional Medical Center; renewal of on-site TDCJ health care services for T.L. Roach Unit and Boot Camp; 9/1/02-8/31/03; \$1,479,300;
- (f) University Medical Center; renewal of Master Coordinating Agreement; 7/1/02-6/30/04; \$20,000,000; and
- (g) El Paso Psychiatric Center; renewal to provide professional psychiatric services to inpatients; \$2,028,218.
- (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) Demick, Diane, M.D., Assistant Professor/NTT; Internal Medicine, El Paso; 10/1/02-8/31/03; \$118,800;
- (b) De Riese, Cornelia, M.D., Ph.D., Assistant Professor/NTT; Ob/Gyn, Lubbock; 11/1/02-8/31/03; \$150,000;

- (c) Harrington, George D., M.D., Associate Professor/NTT; Orthopaedic Surgery, El Paso; 8/5/02-8/31/03; \$265,200;
- (d) Hu, Richard, M.D., Instructor/NTT; Internal Medicine, El Paso; 8/1/02-8/31/03; \$100,000;
- (e) Kilgo, Robert, M.D., Assistant Professor/NTT; Emergency Medicine, El Paso; 9/10/02-8/31/03; \$145,000;
- (f) Morales, Carmela Patricia, M.D., Assistant Professor/NTT; Internal Medicine, El Paso; 1/1/03-8/31/03; \$150,000;
- (g) Noubani, Hasan, M.D., Assistant Professor/NTT; Pediatrics, Amarillo; 9/1/02-8/31/03; \$150,000;
- (h) Powers, Christopher, M.D., Instructor/NTT; Obstetrics & Gynecology, El Paso; 8/1/02-8/31/03; \$150,000;
- (i) Rodriguez, Manuel, M.D., Associate Professor/NTT; Surgery, Amarillo; 8/1/02-8/31/03; \$170,000;
- (j) *Shah, Rinoo Vasant, M.D., Assistant Professor/NTT; Anesthesiology, Lubbock; 7/1/02-8/31/02; \$170,000;
- (k) Spoden, James E., M.D., Associate Professor/NTT; Surgery, Lubbock; 9/1/02-8/31/03; \$195,000;
- (l) *Stanley, Kathleen, M.D., Assistant Professor/NTT; Neuropsychiatry, Lubbock; 7/15/02-8/31/02; \$130,000;
- (m) *Taylor, Sandra J., M.D., Instructor/NTT; Internal Medicine, El Paso; 7/1/02-8/31/02; \$120,000;
- (n) Urquidi, Ulysses John, M.D., Instructor/NTT; Family Medicine, El Paso; 9/1/02-8/31/03; \$120,000; and
- (o) Valdez, Nancy, M.D., Instructor/NTT; Pediatrics, Lubbock; 9/15/02-8/31/03; \$110,000.

*Faculty contracts may be automatically renewed in FY 2003.

(3) **TTU: Report on establishment of new centers and institutes:** As requested by the Board of Regents, a list of newly established centers and institutes will be provided to the board as an information item at the next board meeting.

- (a) Center for Mechanochemistry and Synthesis of New Materials; Department of Mechanical Engineering, College of Engineering; engage in fundamental and applied research and graduate educational activities related to development and dissemination of knowledge on mechanically-induced phase transformations and chemical reactions in various material systems, and application of this knowledge to control phase transformations and search for new materials;
- (b) Center for Advanced Intelligent Systems; College of Engineering; engage in the fundamental and applied research and graduate educational activities required to create and disseminate the knowledge of problem solving using computers;
- (c) Center for Natural Resource Management and Agricultural Security; College of Agricultural Sciences and Natural Resources; protect the economic integrity of the West Texas and eastern New Mexico region through enhanced management enterprises for existing natural resources and associated agricultural products; and
- (d) Center for Law, Policy and Biodefense; School of Law; teach and advance knowledge and practical application of that knowledge in law and policy and how it concerns biodefense.

- (4) TTU: Informational Reports: Reports on accreditation, the School of Mass Communications, and enrollment management are presented to the Board of Regents as information only.
- (a) TTU: Accreditation update. Report on eight of the 31 accrediting agencies for the university that will be or are conducting site visits in academic 2002-2003. There are a few concerns associated with the visits;
 - (b) TTU: School of Mass Communications. Report on plans to begin development activities with the intention of raising \$500,000/year for three years with an anticipated outcome of separation from the College of Arts and Sciences; and
 - (c) TTU: Enrollment Management. Annual report on the activities of the Division of Enrollment Management.

The motion was seconded and passed unanimously.

XI.B.2. TTUS: Report of the Investment Advisory Committee and approve appointment of small cap investment managers.—Regent Nancy Jones called on Mr. Brunjes who presented the report of the Investment Advisory Committee. Mr. Brunjes stated that the Committee met on November 8, 2002 to consider investment firms for recommendation to the Board of Regents as small cap investment managers and recommends that the Board of Regents approve the following:

- (a) Martingdale Asset Management, L.P. be hired as a Small Cap Value Investment Manager;
- (b) Batterymarch Financial Management, Inc. be hired as a Small Cap Core Investment Manager; and
- (c) Dimensional Fund Advisors be hired as a Micro Cap Investment Manager.

Mr. Brunjes further noted that the Investment Advisory Committee at its November 8, 2002 meeting also discussed and reviewed the disclosure and transparency requirements of the portfolio.

Regent Nancy Jones moved that the board approve the recommendations of the Investment Advisory Committee, as presented. The motion was seconded, and passed unanimously.

- XI.B.3. TTUS: Approve amendment to Section 07.09, Regents' Rules.— Mr. Lock presented the item to approve the following amendment to Section 07.09.4, *Regents' Rules*, relating to travel policies for faculty, staff and students.

Amend Section 07.09.4, as follows:

“07.09.4 Faculty, ~~and staff,~~ and student travel. Each component institution will develop and disseminate policies and procedures for travel of faculty, ~~and staff,~~ and students in operating manuals following state guidelines.”

Approval of the proposed amendment is required for the Board of Regents policies to be in compliance with Section 51.949, *Texas Education Code*, and Senate Bill 263, passed by the 77th Texas Legislative Session, which require that governing boards of institutions of higher education adopt a policy regulating certain travel undertaken by students.

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

- XI.B.4. TTUS: Approve amendment to Section 07.11.8, Regents' Rules, concerning official travel by Texas Tech University System employees in personally owned or leased aircraft— Dr. Marcy presented the item to approve the following amendment to Section 07.11.8, *Regents' Rules*, to permit official travel by Texas Tech University System employees in personally owned or leased aircraft.

Amend Section 07.11.8, as follows:

07.11.8 **Aircraft piloted by TTU system personnel on official business.** A TTU system employee may pilot an aircraft owned or leased by the employee for travel on official business and may be reimbursed for such travel in accordance with current state regulations (State of Texas Travel Allowance Guide, Chapter 6, Section 6.02). Any aircraft piloted by TTU system personnel for travel on official business must be maintained in accordance with all applicable Federal Aviation Regulations and shall have all instrumentation required for flying in the meteorological conditions then existing and as

forecast. The pilot must be current and qualified in accordance with all applicable Federal Aviation Regulations for the type aircraft flown and for the meteorological conditions then existing and as forecast. No flight shall be piloted by TTU system personnel with other faculty, staff, students, prospective students, or guests aboard. Any TTU system personnel desiring to travel under this provision must execute a written release of liability releasing the TTU System from any and all liability associated with such travel.

Aircraft piloted by TTU system personnel on official business. ~~The use of aircraft for official TTU business is discouraged when piloted by TTU system personnel who are not professionally employed pilots. However, if such flights are made, the aircraft must have all proper instruments aboard for flying in the existing and possible weather conditions and prevailing forecast. No flight shall be piloted by TTU system personnel with faculty, staff, students, guests, or prospective students aboard unless the person piloting the aircraft possesses a current and commercial license, with multi-engine and instrument ratings and shall be checked out and qualified in the aircraft to be flown according to possible and existing weather conditions and prevailing forecast. No flights shall be made without a professionally employed pilot, by an employee alone or with other employees, students or guests, for official business, in single-engine aircraft, or at night or during weather conditions requiring instruments regardless of aircraft equipment or pilot qualifications and licenses.~~

Following discussion, Regent Nancy Jones moved that the board approve the amendment, as presented. 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 Board of Regents authorize the General Counsel or his Designee to resolve the matter considered in Executive Session within the parameters discussed. The motion was seconded, and passed unanimously.

XI.D. 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 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.

- XI.D.1. TTU: Approve construction of the Park and Ride Facility and exception to Section 08.01.3.c., Regents' Rules.—The board authorized Texas Tech University (i) to proceed with a project to construct the Park and Ride facility with a budget of \$2,900,344; and (ii) to complete the design, obtain project approval from the Texas Higher Education Coordinating Board and award a construction contract. The project will be funded with \$2,680,344 of Federal Transportation Administration (“FTA”) grants, \$100,000 of Citibus funds, and \$120,000 of university funds.

The project was initially less than \$1,000,000 and managed by the university. The receipt of an additional FTA grant has increased the project cost to over \$1,000,000.

The board further approved (i) an exception to Section 08.01.3.c., *Regents' Rules*, Building Program, which requires the Office of Facilities Planning and Construction to manage major new construction projects with a budget of \$1,000,000 or more; and (ii) the request for the university to continue to manage this project.

- XI.D.2. TTU: Approve planning budget for the Natural Science Research Laboratory Expansion Project.—The board authorized the Office of Facilities Planning and Construction to establish a planning budget

of \$350,000 with funds donated by the Ben E. Keith Company to plan and program construction of the Natural Science Research Laboratory Expansion Project. The expected project budget is \$4,100,000.

- XI.D.3. TTUS: Approve exception to Section 08.01.3.d., *Regents' Rules*.—The board approved an exception to Section 08.01.3.d., *Regents' Rules*, Building Program, to waive the requirement for Owner's Representative services for the Animal and Food Sciences Facility project.
- XI.D.4. TTUS: Approve exception to Section 08.01.3.d., *Regents' Rules*.—The board approved an exception to Section 08.01.3.d., *Regents' Rules*, Building Program, to waive the requirement for Owner's Representative services for the Clinical Tower/Research Center project on the TTUHSC Lubbock campus.
- XI.D.5. TTUHSC: Approve construction of the Health Sciences Center Lubbock campus infrastructure.—The board authorized the Office of Facilities Planning and Construction (i) to proceed with a project to revise the TTUHSC Lubbock campus infrastructure with a project budget of \$5,000,000; and (ii) to complete the design, obtain project approval from the Texas Higher Education Coordinating Board and award a construction contract. The project will be funded with TTUHSC HEAF funds.
- XI.D.6. TTUHSC: Approve budget increase for the El Paso Clinic Third Floor Expansion Renovation.—The board authorized an increase of \$800,000 to the budget for the El Paso Clinic Third Floor Expansion Renovation for a total project budget of \$9,700,000. The project increase will be funded with \$500,000 in TTUHSC HEAF and \$300,000 in TTUHSC local funds.
- XI.D.7. TTUHSC: Approve amendment to land lease agreement with University Medical Center.—The board approved an amendment to the land lease agreement with the University Medical Center to allow the construction of underground utility structures under approximately 0.0275 acres of Tract E. The surface use of Tract E will remain restricted to surface parking only.
- XI.D.8. TTUS: Report on deferred renewal.—The board accepted a report by Mr. Mike Ellicott on deferred renewal.
- XI.D.9. 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. 1.

XI.E. 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 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.

- XI.E.1. TTUHSC: Approve appointment with tenure.—The board approved the granting of tenure to Richard Leff, Pharm.D., newly selected Regional Dean for Dallas/Ft. Worth with the Department of Pharmacy Practice in the School of Pharmacy, contemporaneously with his appointment as professor at Texas Tech University Health Sciences Center. Dr. Leff was previously tenured as a professor at both the University of Iowa and the University of Kansas.

- XI.E.2. TTUHSC: Approve new doctoral degree in Communication Disorders.—The board (i) approved a new Doctor of Philosophy degree in Communication Disorders to be established in the Department of Communication Disorders, School of Allied Health; and (ii) authorized the chancellor to cause a proposal to be submitted to the Texas Higher Education Coordinating Board seeking approval for such a program.

The objective of the proposed program is to develop scholars, teachers, and researchers in the area of audiology and speech-language pathology to meet increasingly critical shortages of doctoral prepared faculty at the national, state, and local levels.

Annual operating costs for added staff and faculty (one additional faculty member and one administrative assistant) are estimated to be \$100k per year, recurring. Additional costs for student support (\$15k/yr/student) are projected to start at \$45k for year 1 and to ramp up to \$180k/yr by year 4. The costs of the proposed program will be met through formula funding for students, institutional

support, and sponsored research income. Physical facilities and research infrastructure are already in place.

XI.E.3. TTUHSC: Approve addition of delivery at a distance for the Master of Science in Nursing program to Texas Tech Hill Country University Center and surrounding sites.—The board (i) approved the delivery of the Master of Science in Nursing program, previously approved and currently being offered in a traditional format, to be offered through distance delivery modes to the new Texas Tech Hill Country Center extended sites; and (ii) authorized the chancellor to cause a proposal to be submitted to the Texas Higher Education Coordinating Board seeking approval for delivery of such program at a distance.

XI.E.4. TTU: Scheduled reports on the status of academic units.

TTU: Report on the College of Visual and Performing Arts.—The board accepted a report by Dr. Garry Owens, dean, on the activities and plans for the College of Visual and Performing Arts, included herewith as Attachment No. 2.

XI.F. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

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

Committee Chairman 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 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.

XI.F.1. TTU: Authorize consulting agreement to evaluate the university's financial aid program.—The board authorized the president to negotiate and enter into an agreement to engage a consultant to perform an analysis of the university's financial aid program. The term of the agreement will be December 2002 through June 2003. The anticipated cost is approximately \$30,000 plus expenses.

XI.F.2. TTU: Authorize consulting agreement to evaluate the university's scholarship program.—The board authorized the president to negotiate and enter into an agreement to engage a consultant to perform an analysis of the university's scholarship program. The

term of the agreement will be December 2002 through June 2003.
The anticipated cost is approximately \$25,000 plus expenses.

- XI.F.3. TTU: Report on use of Kenneth Keith Endowment funds.—The report on use of Kenneth Keith Endowment funds was postponed until the December meeting.
- XI.G. SCHEDULE FOR BOARD MEETINGS.—Mr. Ben Lock presented the proposed schedule for future board meetings and asked for comments. The schedule was adopted as follows: December 12-13, 2002, Lubbock; February 27-28, 2003, Junction; May 15-16, 2003, Lubbock; August 7-8, 2003, Lubbock (at TTUHSC); October 2 (workshop/retreat)-3, 2003, Lubbock; December 18-19, 2003, Lubbock; and February 19-20, 2004, Amarillo.
- XI.H. THE PRESIDENT’S REPORT, TTU.—Chairman Brown called on President Schmidly who presented the President’s Report, included herewith as Attachment No. 3.
- XI.I. THE PRESIDENT’S REPORT, TTUHSC.—Chairman Brown called on Acting President Cavin who presented the President’s Report, included herewith as Attachment No. 4.
- XI.J. CHANCELLOR’S REPORT.—Chairman Brown called on Chancellor Smith who presented the Chancellor’s Report, included herewith as Attachment No. 5.
- XI.K. CHAIRMAN’S ANNOUNCEMENTS.—Chairman Brown announced the appointment of Regents Weiss (chair), N. Jones and J. Jones as the committee to nominate regents to serve as chair and vice chair of the Board of Regents, effective January 1, 2003.
- XI.L. ADJOURNMENT.—Regent Lopez moved that the meeting be adjourned. The motion was seconded and passed unanimously. Chairman Brown adjourned the meeting at approximately 11:55 a.m.

INDEX OF ATTACHMENTS

Attachment 1	TTUS Report on the Office of Facilities Planning and Construction projects
Attachment 2	TTU Report on the College of Visual and Performing Arts
Attachment 3	TTU President's report
Attachment 4	TTUHSC President's report
Attachment 5	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 14-15, 2002.

Ben Lock
Secretary

Seal