



TEXAS TECH UNIVERSITY SYSTEM

BOARD OF REGENTS

AGENDA BOOK

February 27-28, 2014

BOARD OF REGENTS
TEXAS TECH UNIVERSITY SYSTEM

AGENDA

February 27-28, 2014

BOARD OF REGENTS

Mr. Mickey L. Long, Chair
Mr. Larry K. Anders, Vice Chair
Mr. John D. Esparza
Mr. L. Frederick "Rick" Francis
Mr. Joshua Heimbecker, Student-Regent
Mr. Tim Lancaster
Mrs. Debbie Montford
Mrs. Nancy Neal
Mr. John D. Steinmetz
Mr. John B. Walker

Standing Committees:

Academic, Clinical and Student Affairs:
Nancy Neal (Chair), Tim Lancaster, Debbie Montford, Joshua Heimbecker

Audit:

Rick Francis (Chair), Nancy Neal, John Steinmetz

Facilities:

Debbie Montford (Chair), John Esparza, John Walker

Finance and Administration:

John Steinmetz (Chair), Rick Francis, John Walker

AGENDA

**Board of Regents Meeting
Lubbock, Texas**

February 27-28, 2014

Abbreviated Agenda with Approximate Times*

Thursday, February 27, 2013

Workshop/Retreat

8:00 am Call to Order of Meeting of the Board
Workshop / Retreat
 Location: Matador Room (Room 227), Second Floor,
 Student Union Building, 15th Street and Akron Avenue

11:30 am Recess

Board of Trustees Meeting of the Carr Scholarship Foundation
(Shown for informational purposes only.)

12:30 pm Call to Order; convene Meeting of the Board of Trustees of
the Carr Scholarship Foundation
 Location: Matador Room (Room 227), Second Floor,
 Student Union Building, 15th Street and Akron Avenue

1:00 pm Recess

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*For general information. The times listed are estimates, with periodic recesses. The retreat will begin no earlier than 8:00 am on Thursday, February 27, in the Matador Room, Room 227, Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. The retreat is expected to adjourn at approximately 11:30 am; however, if needed, the retreat may continue beyond 11:30 am until completed. The Board will break for lunch from 11:45 am to 12:30 pm. The meeting of the Board of Trustees of the Carr Scholarship Foundation will begin after lunch at approximately 12:30 pm on Thursday, February 27, in the Matador Room, Room 227, Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. Committee meetings will commence upon the adjournment of the Carr Scholarship Foundation meeting at approximately 1:00 pm in the Matador Room, Room 227, Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. Any committee meetings not completed on Thursday, February 27, 2014, will be completed on Friday, February 28, 2014. The Board has the option to convene as a Meeting of the Board/Committee of the Whole and convene into Executive Session whenever deemed necessary on Thursday, February 27. The Meeting of the Board will commence at 8:30 am on Friday, February 28 in the Matador Room, Room 227, Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. The Meeting of the Board will recess, if necessary, after introductions/ recognitions at approximately 9:00 am to conduct any committee meetings which were not concluded on Thursday, February 27, 2014 in the same meeting location. The Meeting of the Board will reconvene, if applicable, upon adjournment of the Committee meetings on Friday, February 28 in the Matador Room, Room 227, Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. The Meeting of the Board is expected to adjourn at approximately 1:00 pm; however, if needed, the meeting may continue beyond 1:00 pm until completed. The full board agenda is detailed on pages vi through xiii. The agenda for each session of the board meeting or a meeting of a committee of the board is detailed behind the appropriate divider tab.

**Board of Regents Meeting
Lubbock, Texas**

February 27-28, 2014

Abbreviated Agenda with Approximate Times*

Thursday, February 27, 2014

Meeting of Standing Committees
(Conducted sequentially)

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1:00 pm (or upon adjournment of the Carr Scholarship Foundation meeting)	Facilities Committee Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue
1:30 pm (or upon adjournment of the Facilities Cmte. meeting)	Finance and Administration Committee Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue
1:45 pm (or upon adjournment of the Finance & Administration Cmte.meeting)	Academic, Clinical and Student Affairs Committee Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue
2:15 pm (or upon adjournment of the ACS Cmte. meeting)	Audit Committee Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue

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**Board of Regents Meeting
Lubbock, Texas**

February 27-28, 2014

Abbreviated Agenda with Approximate Times*

Thursday, February 27, 2014

Meeting of the Board

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3:00 pm or TBD (or upon adjournment of the Audit Cmte. meeting)	Call to Order; Convene Meeting of the Board Meeting of the Committee of the Whole and the Board Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue
3:00 pm	Executive Session Location: Masked Rider Room (Room 220) Second Floor, Student Union Building, 15th and Akron Avenues
4:00 pm	Following Executive Session, convene into Open Session, and Meeting of the Committee of the Whole and the Board Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue
4:00 pm	Recess

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**Board of Regents Meeting
Lubbock, Texas**

February 27-28, 2014

Abbreviated Agenda with Approximate Times*

Friday, February 28, 2014

Meeting of the Board

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|----------|---|
| 8:30 am | Call to Order; reconvene Meeting of the Board
Introductions and Recognitions
Meeting of the Committee of the Whole and the Board, or continuation of meetings of the Standing Committees of the Board, if necessary
Location: Matador Room (Room 227),
Second Floor, Student Union Building, 15th Street and Akron Avenue |
| 9:30 am | Executive Session
Location: Masked Rider Room (Room 220)
Second Floor, Student Union Building, 15th and Akron Avenues |
| 12:55 pm | Following Executive Session, convene into Open Session, and Meeting of the Committee of the Whole and the Board
Location: Matador Room (Room 227),
Second Floor, Student Union Building, 15th Street and Akron Avenue |
| 1:00 pm | Adjournment |

*For general information. The times listed are estimates, with periodic recesses. The retreat will begin no earlier than 8:00 am on Thursday, February 27, in the Matador Room, Room 227, Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. The retreat is expected to adjourn at approximately 11:30 am; however, if needed, the retreat may continue beyond 11:30 am until completed. The Board will break for lunch from 11:45 am to 12:30 pm. The meeting of the Board of Trustees of the Carr Scholarship Foundation will begin after lunch at approximately 12:30 pm on Thursday, February 27, in the Matador Room, Room 227, Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. Committee meetings will commence upon the adjournment of the Carr Scholarship Foundation meeting at approximately 1:00 pm in the Matador Room, Room 227, Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. Any committee meetings not completed on Thursday, February 27, 2014, will be completed on Friday, February 28, 2014. The Board has the option to convene as a Meeting of the Board/Committee of the Whole and convene into Executive Session whenever deemed necessary on Thursday, February 27. The Meeting of the Board will commence at 8:30 am on Friday, February 28 in the Matador Room, Room 227, Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. The Meeting of the Board will recess, if necessary, after introductions/ recognitions at approximately 9:00 am to conduct any committee meetings which were not concluded on Thursday, February 27, 2014 in the same meeting location. The Meeting of the Board will reconvene, if applicable, upon adjournment of the Committee meetings on Friday, February 28 in the Matador Room, Room 227, Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas. The Meeting of the Board is expected to adjourn at approximately 1:00 pm; however, if needed, the meeting may continue beyond 1:00 pm until completed. The full board agenda is detailed on pages vi through xiii. The agenda for each session of the board meeting or a meeting of a committee of the board is detailed behind the appropriate divider tab.

Board of Regents Meeting

February 27-28, 2014

Agenda

Thursday, February 27, 2014

**Matador Room (Room 227), Second Floor, Student Union Building,
15th Street and Akron Avenue,
Lubbock, Texas**

- I. Meeting of the Board—Call to Order; Convene into Open Session of the Board**

- II. Workshop/Retreat:** The Board will meet as a Committee of the Whole in a workshop/retreat forum for strategic planning purposes. It is not anticipated that any formal action or decisions will result from these discussions.

- III. Recess**

Board of Trustees of the Carr Scholarship Foundation: This meeting will take place at the recess of the Meeting of the Board/Retreat or after a lunch break; refer to agenda provided by the Chief Financial Officer’s Office
Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas)

IV. Meeting of Standing Committees

A. Facilities Committee

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1. TTU: Approve the Art Building’s HVAC Replacement project	2
2. TTU: Approve naming of new facility and renaming of existing building in Department of Plant and Soil Science.....	3

3.	TTUS: Approve amendments to Chapter 8 of the <i>Regents' Rules</i>	4
4.	TTUS: Report on Facilities Planning and Construction projects.....	5
5.	Adjournment	

B. Finance and Administration Committee

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FA

1.	TTUS: Approve amendments to Chapter 07 of the <i>Regents' Rules</i>	2
2.	ASU, TTU, TTUHSC and TTUHSC at El Paso: Report on tuition and fee issues	3
3.	Adjournment	

C. Academic, Clinical and Student Affairs Committee

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ACS

1.	ASU: Approve changes in academic rank	3
2.	ASU: Approve granting of tenure.....	4
3.	ASU: Approve changes in academic rank and granting of tenure	5
4.	TTU: Approve changes in academic rank.....	7
5.	TTU: Approve granting of academic tenure.....	10
6.	TTU: Approve appointment with tenure.....	11
7.	TTU: Approve changes in academic rank and granting of tenure	12
8.	TTU: Approve emeritus appointments.....	17
9.	TTU: Approve designation of Horn Professorships	19
10.	TTUHSC: Approve changes in academic rank.....	20
11.	TTUHSC: Approve granting of tenure	24

- 12. TTUHSC: Approve changes in academic rank and granting of tenure25
- 13. TTUHSC at El Paso: Approve granting of tenure26
- 14. Adjournment

D. Audit Committee

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A

- 1. TTUS: Report on audits.....3
- 2. Executive Session: The Audit Committee will convene into Executive Session in the Masked Rider Room (Room 220), Second Floor, Student Union Building, 15th Street and Akron Avenue, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including:
 - a. Discussion of personnel matters – Section 551.074.

At the conclusion of Executive Session, the committee will convene into Open Session in the Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue to consider appropriate action, if any, on items discussed in Executive Session.

- 3. Adjournment

V. Meeting of the Board—Call to Order; reconvene into Open Session of the BoardChairman Long

VI. Executive Session: The Board may convene into Executive Session, in the Masked Rider Room (Room 220), Second Floor, Student Union Building, 15th Street and Akron Avenue, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example:Chairman Long

- A. Consultation with attorney regarding privileged communications, pending or contemplated litigation and settlement negotiations – Section 551.071

- B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072
- C. Deliberations regarding prospective gifts – Section 551.073
- D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074
- E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076

VII. Open Session: The Board will reconvene in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:

- A. Consideration of appropriate action, if any, on items discussed in Executive Session..... Vice Chairman Anders

VIII. RecessChairman Long

Friday, February 28, 2014
Matador Room (Room 227), Second Floor, Student Union Building,
15th Street and Akron Avenue,
Lubbock, Texas

IX. Meeting of the Board—Call to Order; reconvene into Open Session of the Board

Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th and Akron Avenues

X. Introductions and Recognitions Chancellor Hance,
President Nellis,
President Mitchell, and
President May

A. Recess (if necessary, for standing committees to meet; otherwise continue in Open Session (XI.))

B. Meeting of Standing Committees (if not concluded on Thursday)

C. Meeting of the Board—Call to Order; reconvene into Open Session of the Board

Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th and Akron Avenues

XI. Open Session: The Board will continue in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:

A. Approve minutes of board meeting held on December 12-13, 2013Chairman Long

B. Committee of the Whole..... Vice Chairman Anders

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CW

1. ASU, TTU, TTUHSC, TTUHSC at El Paso, TTUSA and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda 7

Consent Agenda

a. TTU: Approve faculty developmental leaves of absence (ACS)

- b. TTU: Approve a Bachelor of Applied Arts and Sciences degree in the Office of the Provost (ACS)
- c. TTU: Approve a Masters in Social Work degree in the College of Arts and Sciences (ACS)
- d. TTUHSC: Approve appointment and re-appointment to a non-elective position of honor (ACS)
- e. ASU: Approve naming of weight room in Junell Center/ Stephens Arena and of the Center for Human Performance Building (F)
- f. ASU: Approve renaming of LeGrand Sports Complex (F)
- g. TTU: Approve naming opportunities in Petroleum Engineering Research Building (F)
- h. TTU: Approve naming in College of Media and Communication (F)
- i. TTU: Approve revision to Permanent Right of Access and Use of Texas Tech University land to the City of Lubbock (F)
- j. TTU: Approve naming of center in Edward E. Whitacre College of Engineering (FA)
- k. ASU: Approve FY 2015 holiday schedule (FA)
- l. TTU and TTUSA: Approve FY 2015 holiday schedule (FA)
- m. TTU: Approve commissioning of police officers (FA)
- n. TTUHSC: Approval of the FY 2015 holiday schedule (FA)
- o. TTUHSC at El Paso: Approval of the FY 2015 holiday schedule (FA)

Information Agenda

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

- (1) ASU, TTU and TTUHSC: Summary of Revenues and Expenditures by Budget Category, FY 2014, per Section 01.02.8.d(3)(f), *Regents' Rules*: All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.
- (2) TTUHSC and TTUHSC at El Paso: Contract Renewals per Section 07.12.4.b., *Regents'*

Rules: "Approval of the President is required for all component institution contract renewals or amendments. A list of those renewal contracts in excess of \$500,000 per annum, including the amount of the contract, will be provided to the board as an information item at the next board meeting."

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

(4) TTU: Report on establishment of new centers and institutes per Section 04.11.2., *Regents' Rules*: "The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board."

2. TTUS: Approve amendments to Chapters 01 and 02 of the *Regents' Rules* 8

XII. Reports of Standing Committees: Standing Committee reports will be presented sequentially to the Committee of the Whole.

- A. Report of the Facilities CommitteeRegent Montford
- B. Report of the Finance and Administration Committee.....Regent Steinmetz
- C. Report of the Academic, Clinical and Student Affairs Committee..... Regent Neal
- D. Report of the Audit Committee..... Regent Francis

XIII. The Board will continue in Open Session as the Committee of the Whole and Meeting of the Board of Regents.

- A. Schedule for Board meetings:
 May 15-16, 2014, Lubbock
 August 7-8, 2014, Lubbock
 October 10, 2014, Lubbock
 December 11-12, 2014, Lubbock Ben Lock
- B. Student Government Association—President's Reports Luke Cotton, Hunter Atkins, and Preston Wimberly

XIV. Executive Session: The Board may convene into Executive Session, in the Masked Rider Room (Room 220), Second Floor, Student Union Building, 15th Street and Akron Avenue, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example:Chairman Long

- A. Consultation with attorney regarding privileged communications, pending or contemplated litigation and settlement negotiations – Section 551.071
- B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072
- C. Deliberations regarding prospective gifts – Section 551.073
- D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074
- E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076

XV. Open Session: The Board will convene into Open Session in the Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue and meet as a Committee of the Whole and Meeting of the Board to consider and act on:

- A. Consideration of appropriate action, if any, on items discussed in Executive Session Vice Chairman Anders
- B. Chairman’s Announcements.....Chairman Long

XVI. AdjournmentChairman Long

FACILITIES

Facilities Committee

Committee Meeting
February 27, 2014

Time: 1:00 pm (or upon adjournment of the Carr Scholarship Foundation meeting)

Place: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Regents: Montford (Chair), Esparza, Walker

Agenda

- Approve minutes of committee meetings held on December 13, 2014
- IV.A.** Consideration of items to be recommended by the Facilities Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University System (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC at El Paso”)

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1.	TTU: Approve the Art Building’s HVAC Replacement project	2
2.	TTU: Approve naming of new facility and renaming of existing building in Department of Plant and Soil Science	3
3.	TTUS: Approve amendments to Chapter 8 of the <i>Regents’ Rules</i>	4
4.	TTUS: Report on Facilities Planning and Construction projects	5
5.	Adjournment	

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, February 28, 2014.

1. TTU: Approve the Art Building's HVAC Replacement project.

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Board approval required by: Section 08.01.3, *Regents' Rules*

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents authorize the Operations Division, Department of Engineering Services to (i) proceed with a project to plan and design the Art Building's HVAC Replacement project with a project budget of \$2,428,000; (ii) waive the board directed fees for public art and landscape enhancements; (iii) complete the contract documents; and (iv) award a construction contract. The project will be funded with Higher Education Assistance Funds ("HEAF").

BACKGROUND INFORMATION

The project will address non-functioning HVAC systems in the Art Building; some of which were noted in a previous accreditation finding for the Art Department. Work under this project includes providing all materials, equipment, tools, and labor required to abate asbestos-containing materials; demolish the existing air handling unit, mixing boxes, exhaust fans and pneumatic controls; install a variable volume air handling unit, double duct variable air volume mixing boxes, exhaust fans and direct digital controls; reconfigure the electrical power for the new equipment and controls; and, reroute sewer lines in the mechanical rooms at the Art Building.

The chief financial officer and vice president for administration and finance has verified the source of funds.

2. TTU: Approve naming of new facility and renaming of existing building in Department of Plant and Soil Science.

Presenter: Mr. Scott Cooksey

Presentation Time: 3 minutes

Board approval required by: Section 08.05, *Regents' Rules*

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve naming a new facility and renaming the adjacent and connected existing Agricultural Plant Sciences Building in the Department of Plant and Soil Science the "Bayer Plant Science Building." The donor concurs with the naming and renaming of these facilities.

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

BACKGROUND INFORMATION

Bayer CropScience made a generous donation towards the construction of a new research facility adjacent and connected to the Agricultural Plant Sciences Building, including partial renovation of the existing Agricultural Plant Sciences Building, in the Department of Plant and Soil Science. In recognition of the gift, the new research facility and renovated building will be named the "Bayer Plant Science Building".

Section 08.05, *Regents' Rules*, state that the Board of Regents, upon the recommendation of the president and chancellor shall approve the naming of all buildings, auditoriums, rooms, laboratories, streets, athletic fields, landscape features and other facilities within the Texas Tech University System. An individual, foundation, or corporation providing funding to build new facilities, to renovate or expand existing facilities, or to provide an endowment for the support of a facility or facility-based program of the TTU system may have an area named after the donor provided 50 percent of the cost of the designated area and/or equipment therein is contributed by the donor.

3. **TTUS: Approve amendments to Chapter 8 of the *Regents' Rules*.**

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Report approval required by: Section 01.08, *Regents' Rules*

RECOMMENDATION

The Regents Rules Review Committee (“Rules Committee”) recommends that the Board’s Facilities Committee consider amendments to Chapter 08 (Facilities) of the *Regents' Rules*.

An explanation of as well as the language for these proposed *Regents' Rules* changes is provided as an attachment to your notebook.

BACKGROUND INFORMATION

Board chair Mickey Long re-established the Regents Rules Review Committee (“Rules Committee”) on March 1, 2013 and appointed the following members to that advisory committee: Larry Anders (chair); Rick Francis; Nancy Neal and John Walker.

The Board of Regents approved changes to Chapters 4, 5, 6, 10 (partial) and 12 at the August 9, 2013 Meeting of the Board of Regents. The Board of Regents approved changes to Chapter 3 at the October 11, 2013 Meeting of the Board of Regents.

The Rules Committee is charged with considering and, when appropriate, submitting to the appropriate Board committee proposed amendments to the *Regents' Rules* of the Texas Tech University System. Any amendment to the *Regents' Rules* must be approved by the full Board in accordance with Section 01.08, *Regent' Rules*.

4. TTUS: Report on Facilities Planning and Construction projects.

Presenter: Mr. Michael Molina

Presentation Time: 5 minutes

Report requested by: Board of Regents

Mr. Michael Molina, Vice Chancellor for Facilities Planning and Construction, TTUS, will present a report on Facilities Planning and Construction managed projects.



FINANCE AND ADMINISTRATION

Finance and Administration Committee

Committee Meeting
February 27, 2014

Time: 1:30 pm (or upon adjournment of the Facilities Committee meeting)

Place: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Regents: Steinmetz (Chair), Francis, Walker

Agenda

- Approve minutes of committee meeting held on December 12, 2013

IV.B. Consideration of items to be recommended by the Finance and Administration Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University System (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC at El Paso”)

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1. TTUS: Approve amendments to Chapter 07 of the <i>Regents' Rules</i>	2
2. ASU, TTU, TTUHSC and TTUHSC at El Paso: Report on tuition and fee issues	3
3. Adjournment	

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, February 28, 2014.

1. **TTUS: Approve amendments to Chapter 07 of the Regents' Rules.**

Presenters: Mr. Jim Brunjes

Presentation Time: 5 minutes

Board approval required by: Sec. 01.08, *Regents' Rules*

RECOMMENDATION

The Regents Rules Review Committee recommends that the Board's Finance and Administration Committee consider amendments to one chapter of the *Regents' Rules* ... Chapter 07 (Fiscal Management).

An explanation of as well as the language for these proposed *Regents' Rules* changes is provided as an attachment to your notebook.

BACKGROUND INFORMATION

Board chair Mickey Long re-established the Regents Rules Review Committee ("Rules Committee") on March 1, 2013 and appointed the following members to that advisory committee: Larry Anders (chair); Rick Francis; Nancy Neal and John Walker.

The Board of Regents approved changes to Chapters 4, 5, 6, 10 (partial) and 12 at the August 9, 2013 Meeting of the Board of Regents. The Board of Regents approved changes to Chapters 3 and 11 at the October 11, 2013 Meeting of the Board of Regents.

The Rules Committee is charged with considering and, when appropriate, submitting to the appropriate Board committee proposed amendments to the *Regents' Rules* of the Texas Tech University System. Any amendment to the *Regents' Rules* must be approved by the full Board in accordance with Section 01.08, *Regents' Rules*.

2. ASU, TTU, TTUHSC and TTUHSC at El Paso: Report on tuition and fee issues.

Presenters: Mr. Jim Brunjes

Presentation Time: 10 minutes

Report requested by: Chairman Long and Vice Chairman Anders

Mr. Brunjes, Chief Financial Officer, TTUS, will present a report on major issues that could impact tuition and fees this year.

**ACADEMIC,
CLINICAL AND
STUDENT AFFAIRS**

Academic, Clinical and Student Affairs Committee

Committee Meeting
February 27, 2014

Time: 1:45 pm (or upon adjournment of the Finance & Administration Committee meeting)

Place: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Regents: Neal (Chair), Lancaster, Montford, Heimbecker

Agenda

- Approve minutes of committee meeting held on December 12, 2013

IV.C. Consideration of items to be recommended by the Academic, Clinical and Student Affairs Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University System (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC at El Paso”)

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14. Adjournment

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, February 28, 2014.

1. ASU: Approve changes in academic rank.

Presenter: Dr. Nancy Allen

Presentation Time: 2 minutes

Board approval required by: Section 04.02, Regents' Rules; ASU Operating Policy 06.23

RECOMMENDATION

The Chancellor concurs with the recommendation of the president that the Board of Regents approve the changes in academic rank for the following faculty of Angelo State University ("ASU") effective the 2014-2015 academic year.

Karen Cody, Ph.D., associate professor to professor, Department of English and Modern Languages, College of Arts and Sciences;

Stephen D. Emmons, Ph.D., associate professor to professor, Department of Visual and Performing Arts, College of Arts and Sciences;

Cathy Johnson, Ph.D., associate professor to professor, Department of Communication and Mass Media, College of Arts and Sciences;

Joseph I. Satterfield, Ph.D., associate professor to professor, Department of Physics and Geosciences, College of Arts and Sciences; and

John Smith, III, Ph.D., associate professor to professor, Department of Mathematics, College of Arts and Sciences.

BACKGROUND INFORMATION

Those members of the faculty whose names appear above have been judged by the appropriate department and college committees and administrative personnel as worthy of the promotions for which they have been recommended. The procedure used in recommending members of the faculty for promotion has been carefully followed.

2. ASU: Approve granting of tenure.

Presenter: Dr. Nancy Allen

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; ASU Operating Policy 06.23

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve the granting of tenure to the following faculty of Angelo State University effective the 2014-2015 academic year:

Beverly Greenwald, Ph.D., associate professor, Department of Nursing and Rehabilitation Sciences, College of Health and Human Services.

BACKGROUND INFORMATION

Members of the faculty of Angelo State University are granted tenure under the provisions of Operating Policy 06.23: Tenure and Promotion Standards and Procedures, which has been approved by the Board of Regents.

The appropriate reviewing committees and administrative personnel have judged the member of the faculty whose name appears above worthy of academic tenure. The procedure established in Operating Policy 06.23 for the awarding of tenure to qualified members of the faculty has been carefully followed.

Approval of this individual and the individuals listed on pages ACS-5 and ACS-6 brings the number of full-time, tenured faculty at Angelo State University to 137. There are a total of 203 faculty, either tenured or tenure-track. After this appointment, the percentage of tenure-track faculty who have been awarded tenure will be 67 percent. The number of non-tenure-track faculty is 77.

3. ASU: Approve changes in academic rank and granting of tenure.

Presenter: Dr. Nancy Allen

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; ASU Operating Policy 06.23

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve changes in academic rank and the granting of tenure, effective with the 2014-2015 academic year, for the following faculty of Angelo State University:

Amaris R. Guardiola, Ph.D. assistant professor to associate professor, Department of Biology, College of Arts and Sciences;

Teresa E. Hack, Ph.D., assistant professor to associate professor, Department of Psychology, Sociology, and Social Work, College of Health and Human Services;

Man-Soo Ko, Ph.D., assistant professor to associate professor, Department of Nursing and Rehabilitation Sciences, College of Health and Human Services;

Monica R. Koenigsberg, Ph.D., assistant professor to associate professor, Department of Security Studies and Criminal Justice, College of Arts and Sciences;

Edith M. Osborne, Ph.D., assistant professor to associate professor, Department of Chemistry and Biochemistry, College of Arts and Sciences;

George Pacheco, Jr, Ph.D., assistant professor to associate professor, Department of Communication and Mass Media, College of Arts and Sciences;

Nicole M. Dilts, Ph.D., assistant professor to associate professor, Department of English and Modern Languages, College of Arts and Sciences;

Alaric A. Williams, Ed.D., assistant professor to associate professor, Department of Curriculum and Instruction, College of Education;

Scott C. Williams, Ph.D., assistant professor to associate professor, Department of Physics and Geosciences, College of Arts and Sciences; and

Amy M. Williamson, Ed.D., assistant professor to associate professor,
Department of Curriculum and Instruction, College of Education.

BACKGROUND INFORMATION

Members of the faculty of Angelo State University are granted tenure under the provisions of Operating Policy 06.23: Tenure and Promotion Standards and Procedures, which has been approved by the Board of Regents.

The appropriate reviewing committees and administrative personnel have judged those members of the faculty whose names appear above worthy of academic tenure. The procedure established in Operating Policy 06.23 for the awarding of tenure to qualified members of the faculty has been carefully followed.

Approval of these individuals brings the number of full-time, tenured faculty at Angelo State University to 136. There are a total of 203 faculty, either tenured or tenure-track. After these appointments, the percentage of tenure-track faculty who have been awarded tenure will be 67 percent. The number of full-time non-tenure-track faculty is 77.

4. TTU: Approve changes in academic rank.

Presenter: Dr. Lawrence Schovanec

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; TTU Operating Policy 32.01

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve changes in academic rank for the following faculty of Texas Tech University effective the 2014-2015 academic year:

Brad Dabbert, Ph.D., from associate professor to professor, Department of Natural Resources Management, College of Agricultural Sciences and Natural Resources;

Conrad Lyford, Ph.D., from associate professor to professor, Department of Agricultural and Applied Economics, College of Agricultural Sciences and Natural Resources;

Jaime Malaga, Ph.D., from associate professor to professor, Department of Agricultural and Applied Economics, College of Agricultural Sciences and Natural Resources;

Gad Perry, Ph.D., from associate professor to professor, Department of Natural Resources Management, College of Agricultural Sciences and Natural Resources;

Rima Al Ajlouni, Ph.D., from assistant professor to associate professor, College of Architecture;

Craig Baehr, Ph.D., from associate professor to professor, Department of English, College of Arts and Sciences;

Kelli Cargile-Cook, Ph.D., from associate professor to professor, Department English, College of Arts and Sciences;

Amy Koerber, Ph.D., from associate professor to professor, Department English, College of Arts and Sciences;

Sara Spurgeon, Ph.D., from associate professor to professor, Department English, College of Arts and Sciences;

Steven Presley, Ph.D., from associate professor to professor, Department of Environmental Toxicology, College of Arts and Sciences;

Melanie Hart, Ph.D., from associate professor to professor, Department of Health, Exercise and Sport Sciences, College of Arts & Sciences;

Stefano D'Amico, Ph.D., from associate professor to professor,
Department of History, College of Arts & Sciences;

James Surlles, Ph.D., from associate professor to professor, Department
of Mathematics and Statistics, College of Arts & Sciences;

Magdalena Toda, Ph.D., from associate professor to professor,
Department of Mathematics and Statistics, College of Arts & Sciences;

Alex Trindade, Ph.D., from associate professor to professor, Department
of Mathematics and Statistics, College of Arts & Sciences;

Dennis Patterson, Ph.D., from associate professor to professor,
Department of Political Science, College of Arts & Sciences;

Denton Collins, Ph.D., from associate professor to professor, Area of
Accounting, Rawls College of Business Administration;

Doug Hamman, Ph.D., from associate professor to professor, Department
of Curriculum and Instruction, College of Education;

Mellinee Lesley, Ph.D., from associate professor to professor, Department
of Curriculum and Instruction, College of Education;

Barbara Morgan-Fleming, Ph.D., from associate professor to professor,
Department of Curriculum and Instruction, College of Education;

Rona Pogrund, Ph.D., from associate professor to professor, Department
of Educational Psychology and Leadership, College of Education;

Tara Stevens, Ed.D., from associate professor to professor, Department of
Educational Psychology and Leadership, College of Education;

Liu Hangchao, Ph.D., from associate professor to professor, Department
of Civil and Environmental Engineering, Whitacre College of
Engineering;

Alyson Outenreath, JD., from assistant professor to associate professor,
School of Law;

Christopher Kulander, JD., Ph.D., from assistant professor to associate
professor, School of Law;

Monte Monroe, Ph.D., from associate archivist to archivist, Library;

Kenton Wilkinson, Ph.D., from associate professor to professor,
Department of Journalism and Electronic Media, College of Media and
Communication;

David Dees, MM, from associate professor to professor, School of Music,
College of Visual and Performing Arts;

Christopher Smith, Ph.D., from associate professor to professor, School of
Music, College of Visual and Performing Arts.

BACKGROUND INFORMATION

Those members of the faculty whose names appear above have been judged by the appropriate departmental and collegiate committees and administrative personnel as worthy of the promotions for which they have been recommended. The procedure used in recommending members of the faculty for promotion has been carefully followed.

5. TTU: Approve granting of academic tenure.

Presenter: Dr. Lawrence Schovanec

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; TTU Operating Policy 32.01

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve granting tenure to the following faculty of Texas Tech University, effective with the 2014-2015 academic year:

Jonathan Thompson, Ph.D., associate professor, Department of Chemistry and Biochemistry, College of Arts and Sciences;

Kevin Long, Ph.D., associate professor, Department of Mathematics and Statistics, College of Arts and Sciences;

Katharine Hayhoe, Ph.D., associate professor, Department of Political Science, College of Arts and Sciences;

Ben Powell, Ph.D., professor, Area of Energy, Economics and Law, Rawls College of Business Administration;

Ismael deFarias, Ph.D., associate professor, Department of Industrial Engineering, Whitacre College of Engineering.

BACKGROUND INFORMATION

Members of the faculty of Texas Tech University are granted tenure under the provisions of the Tenure Policy, which has been approved by the Board of Regents.

The appropriate reviewing committees and administrative personnel have judged those members of the faculty whose names appear above worthy of academic tenure. The procedure established in the Tenure Policy for the awarding of tenure to qualified members of the faculty has been carefully followed.

Approval of these individuals and the individuals listed on pages ACS-11 and ACS-12 through ACS-15 brings the number of full-time tenured faculty at Texas Tech University to 749. There are a total of 1,074 full-time faculty, either tenured or tenure-track. After these appointments, the percentage of tenured faculty who have been awarded tenure will be 69.7 percent. The number of full-time non-tenured or non-tenure track faculty is 280.

6. TTU: Approve appointment with tenure.

Presenter: Dr. Lawrence Schovanec

Presentation Time: 3 minutes

Board approval required by: Section 04.02, *Regents' Rules*; TTU Operating Policy 32.17

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve the granting of tenure to the following faculty of Texas Tech University contemporaneously with the appointment:

Sharran Parkinson, Ph.D., new professor and chair, Department of Design, College of Human Sciences. Professor Parkinson is currently the Department Chair, and Professor, with tenure, Department of Interior Design, Virginia Commonwealth University.

BACKGROUND INFORMATION

The faculty member whose name appears above has been judged by the appropriate committees and administrative personnel as worthy of academic tenure. The procedure established by the Tenure Policy for the awarding of tenure to qualified members of the faculty has been carefully followed.

Approval of this individual and the individuals listed on pages ACS-10 and ACS-12 through ACS-15 brings the number of full-time tenured faculty at Texas Tech University to 797. There are a total of 1,075 full-time faculty, either tenured or tenure track. After this appointment, the percentage of tenure track faculty who have been awarded tenure will be 74.1 percent. The number of full-time non-tenure or non-tenure track faculty is 280.

7. TTU: Approve changes in academic rank and granting of tenure.

Presenter: Dr. Lawrence Schovanec

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; TTU Operating Policy 32.01

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve changes in academic rank and the granting of tenure, effective with the 2014-2015 academic year, for the following faculty of Texas Tech University:

Aaron Benson, Ph.D., from assistant professor to associate professor, Department of Agricultural and Applied Economics, College of Agricultural Sciences and Natural Resources;

Robert Cox, Ph.D., from assistant professor to associate professor, Department of Natural Resources Management, College of Agricultural Sciences and Natural Resources;

Kerry Griffis-Kyle, Ph.D., from assistant professor to associate professor, Department of Natural Resources Management, College of Agricultural Sciences and Natural Resources;

Courtney Meyers, Ph.D., from assistant professor to associate professor, Department of Agricultural Education and Communications, College of Agricultural Sciences and Natural Resources;

Jennifer Moore-Kucera, Ph.D., from assistant professor to associate professor, Department of Plant and Soil Science, College of Agricultural Sciences and Natural Resources;

Olga Murova, Ph.D., from assistant professor to associate professor, Department of Agricultural and Applied Economics, College of Agricultural Sciences and Natural Resources;

Jon Ulmer, Ph.D., from assistant professor to associate professor, Department of Agricultural Education and Communications, College of Agricultural Sciences and Natural Resources;

Maria Perbellini, M.Arch, from associate professor to professor, College of Architecture;

Yehia Mechref, Ph.D., from associate professor to professor, Department of Chemistry and Biochemistry, College of Arts and Sciences;

Gregory Mayer, Ph.D., from assistant professor to associate professor,
Department of Environmental Toxicology, College of Arts and
Sciences;

Christopher Salice, Ph.D., from assistant professor to associate professor,
Department of Environmental Toxicology, College of Arts and
Sciences;

Callum Hetherington, Ph.D., from assistant professor to associate
professor, Department of Geosciences, College of Arts and Sciences;

Laura Calkins, Ph.D., from assistant professor to associate professor,
Department of History, College of Arts and Sciences;

Luan Hoang, Ph.D., from assistant professor to associate professor,
Department of Mathematics and Statistics, College of Arts and
Sciences;

Christopher Hom, Ph.D., from assistant professor to associate professor,
Department of Philosophy, College of Arts and Sciences;

Sung-Wook Kwon, Ph.D., from assistant professor to associate professor,
Department of Political Science, College of Arts and Sciences;

Toby Rider, Ph.D., from assistant professor to associate professor,
Department of Political Science, College of Arts and Sciences;

Michael Serra, Ph.D., from assistant professor to associate professor,
Department of Psychology, College of Arts and Sciences;

Jongpil Cheon, Ed.D., from assistant professor to associate professor,
Department of Educational Psychology and Leadership, College of
Education;

Colette Taylor, Ed.D., from assistant professor to associate professor,
Department of Educational Psychology and Leadership, College of
Education;

Fernando Valle, Ph.D., from assistant professor to associate professor,
Department of Educational Psychology and Leadership, College of
Education;

Fan Zhaoyang, Ph.D., from assistant professor to associate professor,
Department of Electrical and Computer Engineering, Whitacre College
of Engineering;

Micah Green, Ph.D., from assistant professor to associate professor,
Department of Chemical Engineering, Whitacre College of
Engineering;

Annette Hernandez, Ph.D., from assistant professor to associate
professor, Department of Civil Engineering, Whitacre College of
Engineering;

Qing Hui, Ph.D., from assistant professor to associate professor,
Department of Mechanical Engineering, Whitacre College of
Engineering;

Changzhi Li, Ph.D., from assistant professor to associate professor,
Department of Electrical and Computer Engineering, Whitacre College
of Engineering;

Mohan Sridharan, Ph.D., from assistant professor to associate professor,
Department of Computer Science, Whitacre College of Engineering;

Siva Vanapalli, Ph.D., from assistant professor to associate professor,
Department of Chemical Engineering, Whitacre College of
Engineering;

Marshall Watson, Ph.D., from assistant professor to associate professor,
Department of Petroleum Engineering, Whitacre College of
Engineering;

James Yang, Ph.D., from assistant professor to associate professor,
Department of Mechanical Engineering, Whitacre College of
Engineering;

Zhen Cong, Ph.D., from assistant professor to associate professor,
Department of Human Development and Family Studies, College of
Human Sciences;

Barry McCool, Ph.D., from assistant professor to associate professor,
Department of Nutrition, Hospitality and Retailing, College of Human
Sciences;

Kelly Phelan, Ph.D., from assistant professor to associate professor,
Department of Nutrition, Hospitality and Retailing, College of Human
Sciences;

Shu Wang, Ph.D., from assistant professor to associate professor,
Department of Nutrition, Hospitality and Retailing, College of Human
Sciences;

Shelley Barba, M.S., from assistant librarian to associate librarian, Library;

Melanie Clark, M.L.S., from assistant librarian to associate librarian,
Library;

Robert Weiner, M.S., from associate librarian to librarian, Library;

Robert Peaslee, Ph.D., from assistant professor to associate professor,
Department of Journalism and Electronic Media, College of Media and
Communication;

Hyojung Cho, Ph.D., from assistant professor to associate professor,
Museum;

Amy Mondt, M.A., from assistant archivist to associate archivist, Vietnam
Center;

Thomas Cimarusti, Ph.D., from assistant professor to associate professor,
School of Music, College of Visual and Performing Arts;

Carolyn Cruse, Ph.D., from assistant professor to associate professor,
School of Music, College of Visual and Performing Arts;

Jeffrey Lastrapes, M.M., from assistant professor to associate professor,
School of Music, College of Visual and Performing Arts;

Mark Morton, D.M.A, from assistant professor to associate professor,
School of Music, College of Visual and Performing Arts; and

Jorgelina Orfila, Ph.D., from assistant professor to associate professor,
School of Art, College of Visual and Performing Arts.

BACKGROUND INFORMATION

Those members of the faculty whose names appear above have been judged by the appropriate departmental and collegiate committees and administrative personnel as worthy of the promotions for which they have been recommended. The procedure used in recommending members of the faculty for promotion has been carefully followed.

Members of the faculty of Texas Tech University are granted tenure under the provisions of the Tenure Policy which has been approved by the Board of Regents.

The appropriate reviewing committees and administrative personnel have judged those members of the faculty whose names appear above worthy of academic

tenure. The procedure established in the Tenure Policy for the awarding of tenure to qualified members of the faculty has been carefully followed.

Approval of these individuals and the individuals listed on pages ACS-10 and ACS-11 brings the number of full-time tenured faculty at Texas Tech University to 796. There are a total of 1074 full-time faculty, either tenured or tenure track. After these appointments, the percentage of tenure track faculty who have been awarded tenure will be 74.1 percent. The number of full-time non-tenure or non-tenure track faculty is 280.

8. **TTU: Approve emeritus appointments.**

Presenter: Dr. Lawrence Schovanec

Presentation Time: 2 minutes

Board approval required by: Section 4.01.2, *Regents' Rules*

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents grant dean emeritus status to one former dean and professor emeritus status to ten former faculty members as listed below:

Kenneth Dixon	Professor of Environmental Toxicology (13 years)
Ernest Fish	Chair and Professor of Natural Resources Management (40 years)
Jerry Hudson	Dean, College of Media and Communication, and Professor of Advertising and Public Relations (35 years)
Paul Johnson	Professor of Sociology (23 years)
JoAnn Klinker	Associate Professor of Educational Psychology and Leadership (10 years)
Magne Kristiansen	Horn Professor of Electrical and Computer Engineering (47 years)
M. A. K. Lodhi	Professor of Physics (50 years)
Walt Oler	Associate Professor of Mechanical Engineering (33 years)
Janet Perez	Horn Professor of Classical and Modern Languages and Literatures (37 years)
Sara Waters	Professor of Art (36 years)
Diane Wood	Professor of Classical and Modern Languages and Literatures (37 years)

BACKGROUND INFORMATION

According to the *Regents' Rules*, emeritus appointments shall be honorary and without stipend. The appointments are given at retirement and are intended to recognize long and faithful service, or very distinguished service to the institution. The proposed individuals qualify for emeritus appointment under the policy of the Board of Regents.

9. TTU: Approve designation of Horn Professorships.

Presenter: Dr. Lawrence Schovanec

Presentation Time: 2 minutes

Board approval required by: Section 4.01.1, *Regents' Rules*

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve the designation of Horn Professor to the following members of the Texas Tech faculty, effective February 28, 2014:

William Hase , Ph.D., Department of Chemistry and Biochemistry,
College of Arts and Sciences; and

Jingyu Lin, Ph.D., Department of Electrical and Computer
Engineering, Whitacre College of Engineering

[NOTE: The current list of Horn Professors is included as an attachment in your notebook.]

BACKGROUND INFORMATION

Section 04.01.1, *Regents' Rules*, requires regent approval of Horn Professorships.

In 1966, the Board of Regents established the Horn Professorship to recognize scholarly achievement and outstanding service to Texas Tech University. Subsequently, the Board has approved appointment of eighty-two members of the faculty to Horn Professorships. Currently, thirty-two are on the faculty.

Nominations of those with professional status are made in confidence by the academic deans. Supporting documentation must accompany the nomination. Letters that evaluate the nominee's professional qualifications and suitability for this award are solicited, again in confidence, from national and/or international sources by the provost and, only in rare instances, from sources at Texas Tech University. A committee comprised of the provost, a holder of an endowed chair or professorship, the president of the Faculty Senate, and five Horn Professors appointed by the president, reviewed the nominations. If the committee approves a nomination, it is transmitted to the president of the university with a recommendation for approval. If the president of the university concurs in the recommendation of the aforesaid committee, the nomination is transmitted to the Board of Regents for final action.

10. TTUHSC: Approve changes in academic rank.

Presenter: Steven L. Berk, M. D.

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; HSC Operating Policy 60.01

RECOMMENDATION

The chancellor concurs with the recommendation of the president that changes in academic rank effective September 1, 2014, be granted to:

Tenured Faculty:

Joehassin Cordero, MD, associate professor to professor, Department of Surgery, School of Medicine

Chwan-Li Shen, PhD, associate professor to professor, Department of Pathology, School of Medicine

Roger Smalligan, MD, associate professor to professor, Department of Internal Medicine, School of Medicine

Mitchell Wachtel, MD, associate professor to professor, Department of Pathology, School of Medicine

Curt M. Pfarr, PhD, associate professor to professor, Department of Medical Education, Paul L. Foster School of Medicine

Kalkunte S. Srivenugopal, PhD, associate professor to professor, Department of Biomedical Sciences, School of Pharmacy

Jean-Michael Brismee, PT, ScD, OCS, FAAOMPT, associate professor to professor, Department of Rehabilitation Sciences, School of Allied Health Sciences

Melinda Corwin, PhD, CCC-SLP, associate professor to professor, Department of Speech, Language, and Hearing Sciences, School of Allied Health Sciences

Candace Hicks, PhD, CCC-A, associate professor to professor, Department of Speech, Language, and Hearing Sciences, School of Allied Health Sciences

Tenure Track Faculty:

Navkiran Kaur Shokar, MD, MPH, associate professor to professor, Department of Family and Community Medicine & Biomedical Sciences, Paul L. Foster School of Medicine

Non-Tenure Track Faculty:

Candy Arentz, MD, assistant professor to associate professor, Department of Surgery, School of Medicine

Ronald Banister, MD, assistant professor to associate professor, Department of Anesthesiology, School of Medicine

Kelly Bennett, MD, assistant professor to associate professor, Department of Family & Community Medicine, School of Medicine

Thomas Cammack, MD, assistant professor to associate professor, Department of Urology, School of Medicine

Nicholas D'Cunha, MD, associate professor to professor, Department of Internal Medicine, School of Medicine

Allan Eisenbaum, MD, associate professor to professor, Department of Ophthalmology & Visual Sciences, School of Medicine

Jamie Haynes, MD, assistant professor to associate professor, Department of Family & Community Medicine, School of Medicine

Amanda Masters, MD, assistant professor to associate professor, Department of Pediatrics, School of Medicine

Lesley Motheral, MD, assistant professor to associate professor, Department of Pediatrics, School of Medicine

Laszlo Nagy, MD, assistant professor to associate professor, Department of Pediatrics, School of Medicine

Tam Nguyen, MD, assistant professor to associate professor, Department of Surgery, School of Medicine

Beverly Nixon-Lewis, DO, assistant professor to associate professor, Department of Family & Community Medicine, School of Medicine

Fredrick Onger, MD, assistant professor to associate professor, Department of Family & Community Medicine, School of Medicine

Rodney Young, MD, associate professor to professor, Department of Family & Community Medicine, School of Medicine

Brian Richard Davis, MD, assistant professor to associate professor, Department of Surgery, Paul L. Foster School of Medicine

Sitratullah O. Maiyegun, MD, assistant professor to associate professor, Department of Pediatrics, Paul L. Foster School of Medicine

Charmaine A. Martin, MD, assistant professor to associate professor, Department of Family and Community Medicine, Paul L. Foster School of Medicine

Zeina Nahleh, MD, FACP, associate professor to professor, Department of Internal Medicine, Paul L. Foster School of Medicine

Alice M. Nyakeriga, PhD, research instructor to research assistant Professor, Department of Biomedical Sciences, Paul L. Foster School of Medicine

Jose Salvador Saldivar, MD, MPH, assistant professor to associate professor, Department of Obstetrics and Gynecology, Paul L. Foster School of Medicine

Maria Theresa M. Villanos, MD, assistant professor to associate professor, Department of Pediatrics, Paul L. Foster School of Medicine

Susan Watts, PhD, assistant professor to associate professor, Department of Emergency Medicine, Paul L. Foster School of Medicine

Sachin Shah, PharmD, BCOP, VCCP, associate professor to professor, Department of Pharmacy Practice, School of Pharmacy

Brian K. Irons, PharmD, FCCP, BCACP, BCPS, BC-ADM, associate professor to professor, Department of Pharmacy Practice, School of Pharmacy

Renee J. Bogenschutz, PhD, CCC-SLP, assistant professor to associate professor, Department of Speech, Language, and Hearing Sciences, School of Allied Health Sciences

Robert H. Posteraro, MD, MBI, FACR, assistant professor to associate professor, Department of Clinic Administration and Rehabilitation Counseling, School of Allied Health Sciences

Joanna Lea Guenther, PhD, RN, FNP_BC, CNE, assistant professor to associate professor, Department of Graduate Studies, School of Nursing

Crystal Joy Wilkinson, DNP, RN, CNS-CH, CPHQ, assistant professor to associate professor, Department of Non-Traditional Undergraduate Studies, School of Nursing

Ruth Katherine Bargainer, MSN, RN, CNE, instructor to assistant professor, Department of Traditional Undergraduate Studies, School of Nursing

Belinda Gallegos, MSN, PhD, RN, CNE, instructor to assistant professor, Department of Traditional Undergraduate Studies, School of Nursing

Dawn Renae Kineman, MSN, RN, CPN, instructor to assistant professor, Department of Traditional Undergraduate Studies, School of Nursing

Grace H. Sun, MSN, RN, FNP-BC, instructor to assistant professor, Department of Graduate Studies, School of Nursing

Amanda Veearst, MSN, RN, instructor to assistant professor, Department of Traditional Undergraduate Studies, School of Nursing

Tiffani Marie Wise, RN, MSN, CCRN, instructor to assistant professor, Department of Non-Traditional Undergraduate Studies, School of Nursing

BACKGROUND INFORMATION

Those members of the faculty whose names appear on the above list have been judged by the appropriate departmental and collegiate committees and administrative personnel as worthy of the promotions for which they have been recommended. The procedure used in recommending members of the faculty for promotion has been followed carefully.

11. TTUHSC: Approve granting of tenure.

Presenter: Steven L. Berk, M. D.

Presentation Time: 1 minute

Board approval required by: Section 04.02, *Regents' Rules*; HSC Operating Policy 60.01

RECOMMENDATION

The chancellor concurs with the recommendation of the president that, effective this date, tenure be granted to:

Susan Bergeson, PhD, associate professor, Department of Pharmacology & Neuroscience, School of Medicine

Marjorie Jenkins, MD, professor, Department of Internal Medicine, School of Medicine

Betsy Jones, EdD, professor, Department of Family & Community Medicine, School of Medicine

John Wasnick, MD, professor, Department of Anesthesiology, School of Medicine

Richard David Brower, MD, associate professor, Department of Medical Education, Paul L. Foster School of Medicine

German T. Hernandez, MD, associate professor, Department of Internal Medicine, Paul L. Foster School of Medicine

Sanja Kupesic Plavsic, MD, PhD, professor, Department of Obstetrics and Gynecology, Paul L. Foster School of Medicine

Barbara Jean Cherry, DNSc, MBA, RN, NEA-BC, professor, Department of Graduate Studies, School of Nursing

BACKGROUND INFORMATION

Approval of tenure at this Board meeting for these individuals and the individuals listed on ACS-25 and ACS-26 brings the number of tenured faculty in all academic schools of the Health Sciences Center to 188. There are a total of 263 faculty either in the tenure-track or tenured. After these appointments, the percentage of tenure track faculty who has been awarded tenure will be 71.4 percent. The number of faculty that is non-tenure track is 674.

12. TTUHSC: Approve changes in academic rank and granting of tenure.

Presenter: Steven L. Berk, M. D.

Presentation Time: 1 minute

Board approval required by: Section 04.02, *Regents' Rules*; HSC Operating Policy 60.01

RECOMMENDATION

The chancellor concurs with the recommendation of the president that the Board of Regents approve changes in academic rank effective September 1, 2014, and tenure, effective this date, be granted to:

Pablo Artigas, PhD, assistant professor to associate professor, Department of Cell Physiology & Molecular Biophysics, School of Medicine;

Sharmila Dissanaiké, MD, associate professor to professor, Department of Surgery, School of Medicine;

Thomas Nelius, MD, PhD, associate professor to professor, Department of Urology, School of Medicine;

Toby J. Brooks, PhD, LAT, ATC, CSCS, PES, YFS-3, assistant professor to associate professor, Department of Rehabilitation Sciences, School of Allied Health Sciences;

Sue Ann S. Lee, PhD, assistant professor to associate professor, Department of Speech, Language, and Hearing Sciences, School of Allied Health Sciences;

Steven Zupancic, AuD, PhD, CCC-A, assistant professor to associate professor, Department of Speech, Language, and Hearing Sciences, School of Allied Health Sciences;

BACKGROUND INFORMATION

Approval of tenure at this Board meeting for these individuals and the individuals listed on pages ACS-24 and ACS-26 brings the number of tenured faculty in all academic schools of the Health Sciences Center to 188. There are a total of 263 faculty either in the tenure-track or tenured. After these appointments, the percentage of tenure track faculty who has been awarded tenure will be approximately 71.4 percent. The number of faculty that is non-tenure track is 674.

13. TTUHSC at El Paso: Approve granting of tenure.

Presenter: Dr. Tedd Mitchell

Presentation Time: 1 minute

Board approval required by: Section 04.02, *Regents' Rules*; HSC Operating Policy 60.01

RECOMMENDATION

The chancellor concurs with the recommendation of the interim president that the Board of Regents approves tenure for Wrennah Gabbert, RN, PhD, CPNP, FNP-BC, professor and senior associate dean for Academic Programs at the Gayle Greve Hunt School of Nursing (GGHSON), effective this date.

In January 2008, Dr. Gabbert was recruited to the School of Nursing (SON) as an associate professor on the tenure track. In January 2011, she was asked to assist in the establishment of the GGHSON, while maintaining her responsibilities in the Pediatric Nurse Practitioner program in Lubbock. She led the effort to develop the material required by the Commission on Collegiate Nursing Education (CCNE) to prepare for the accreditation site visit which occurred on September 12-14, 2012. The CCNE Board of Commissioners acted at its meeting on April 25-27, 2013 to grant accreditation to the baccalaureate degree program in nursing for five years. In January 2013, the GGHSON recruited its founding dean, Dr. Jeanne Novotny, and in March 2013, Dr. Novotny appointed Dr. Gabbert senior associate dean for Academic Programs, where she plays a critical and essential role in building and administering the academic programs for the School of Nursing. Her expertise is highly sought after by other academic institutions not only in Texas but across the nation.

As the GGHSON is still in the process of developing its Faculty Affairs Committee and Promotion and Tenure Committee, there was no procedure in place for Dr. Gabbert to submit her application for tenure in May 2013, the time when the schools begin their annual promotion and tenure reviews. In July 2011, the SON's Peer Review Committee conducted its pre-tenure review of Dr. Gabbert and gave her a "satisfactory, continue with plan for review" rating.

BACKGROUND INFORMATION

Approval of tenure at this Board meeting for this individual and the individuals listed on ACS-24 and ACS-25 brings the number of tenured faculty in all academic schools of the Health Sciences Center to 188. There are a total of 263 faculty either in the tenure-track or tenured. After these appointments, the percentage of tenure track faculty who has been awarded tenure will be 71.4 percent. The number of faculty that is non-tenure track is 674.

AUDIT

Audit Committee

Committee Meeting
February 27, 2014

Time: 2:15 pm (or upon adjournment of the Academic, Clinical and Student Affairs Committee meeting)

Place: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Regents: Francis (Chair), Neal, Steinmetz

Agenda

- Approve minutes of committee meeting held on December 12, 2013

IV.D. Consideration of items to be recommended by the Audit Committee to the Board of Regents of the Texas Tech University System (“TTUS”) for and on behalf of Angelo State University System (“ASU”), TTUS, the TTU System Administration (“TTUSA”), Texas Tech University (“TTU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC at El Paso”)

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1. TTUS: Report on audits 3
2. Executive Session: The Audit Committee will convene into Executive Session in the Masked Rider Room (Room 220), Second Floor, Student Union Building, 15th Street and Akron Avenue, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including:
 - a. Discussion of personnel matters – Section 551.074.

At the conclusion of Executive Session, the committee will convene into Open Session in the Matador Room, Second Floor, Room 227, Student Union Building, 15th Street and Akron Avenue, to consider appropriate action, if any, on items discussed in Executive Session.
3. Adjournment

NOTE: Following consideration of the above items by the committee, the Committee Chair will present the Committee Report to the full Board of Regents for its consideration on Friday, February 28, 2014.

1. TTUS: Report on audits.

Presenter: Mrs. Kim Turner

Presentation Time: 10 minutes

Report to Board required by: Section 07.02.7, *Regents' Rules*; and Audit Committee Charter

Mrs. Kim Turner, Chief Audit Executive, will present a report on the System's audit projects.

**MEETING OF THE
BOARD**

Meeting of the Board
Thursday, February 27, 2014

Time: 8:00 am

Place: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Agenda

- I. **Meeting of the Board—Call to Order; Convene into Open Session of the Board**Chairman Long

- II. **Workshop/Retreat:** The Board will meet as a Committee of the Whole in a workshop/retreat forum for strategic planning purposes. It is not anticipated that any formal action or decisions will result from these discussions.

- III. **Recess**Chairman Long

Board of Trustees of the Carr Scholarship Foundation: This meeting will take place at the recess of the Meeting of the Board/Retreat or after a lunch break; refer to agenda provided by the Chief Financial Officer’s Office

Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas)

- IV. **Meeting of Standing Committees:** Conducted sequentially and separately from the Meeting of the Board at the adjournment of the Board of Trustees meeting of the Carr Scholarship Foundation; refer to agenda for each respective committee meeting.

Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Meeting of the Board

Thursday, February 27, 2014

Time: 3:00 pm (or if/whenever deemed necessary—possibly at the adjournment of the Audit Committee meeting)

Place: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Agenda

V. Meeting of the Board—Call to Order; convene into Open Session of the Board.....Chairman Long

VI. Executive Session: The Board may convene into Executive Session, in the Masked Rider Room (Room 220), Second Floor, Student Union Building, 15th Street and Akron Avenue, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example:Chairman Long

- A. Consultation with attorney regarding privileged communications, pending or contemplated litigation and settlement negotiations – Section 551.071
- B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072
- C. Deliberations regarding prospective gifts – Section 551.073
- D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074
- E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076

VII. Open Session: The Board will reconvene in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:

- A. Consideration of appropriate action, if any, on items discussed in Executive Session..... Vice Chairman Anders

VIII. RecessChairman Long

Meeting of the Board
Friday, February 28, 2014

Time: 8:30 am

Place: Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue, Lubbock, Texas

Agenda

IX. Meeting of the Board—Call to Order; reconvene into Open Session of the BoardChairman Long

X. Introductions and RecognitionsChancellor Hance,
President Nellis,
President Mitchell, and
President May

A. Recess (if necessary, for standing committees to meet; otherwise continue in Open Session (XI.))

B. Meeting of Standing Committees (if not concluded on Thursday)

C. Meeting of the Board—Call to Order; reconvene into Open Session of the Board
Location: Matador Room (Room 227), Second Floor, Student Union Building, 15th and Akron Avenues

XI. Open Session: The Board will continue in Open Session and meet as a Committee of the Whole and Meeting of the Board to consider and act on:

A. Approve minutes of board meeting held on December 12-13, 2013Chairman Long

B. Committee of the Whole..... Vice Chairman Anders

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1. ASU, TTU, TTUHSC, TTUHSC at El Paso, TTUSA, and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda..... 7

Consent Agenda

- a. TTU: Approve faculty developmental leaves of absence (ACS)
- b. TTU: Approve a Bachelor of Applied Arts and Sciences degree in the Office of the Provost (ACS)
- c. TTU: Approve a Masters in Social Work degree in the College of Arts and Sciences (ACS)
- d. TTUHSC: Approve appointment and re-appointment to a non-elective position of honor (ACS)
- e. ASU: Approve naming of weight room in Junell Center/ Stephens Arena and of the Center for Human Performance Building (F)
- f. ASU: Approve renaming of LeGrand Sports Complex (F)
- g. TTU: Approve naming opportunities in Petroleum Engineering Research Building (F)
- h. TTU: Approve naming in College of Media and Communication (F)
- i. TTU: Approve revision to Permanent Right of Access and Use of Texas Tech University land to the City of Lubbock (F)
- j. TTU: Approve naming of center in Edward E. Whitacre College of Engineering (FA)
- k. ASU: Approve FY 2015 holiday schedule (FA)
- l. TTU and TTUSA: Approve FY 2015 holiday schedule (FA)
- m. TTU: Approve commissioning of police officers (FA)
- n. TTUHSC: Approval of the FY 2015 holiday schedule (FA)
- o. TTUHSC at El Paso: Approval of the FY 2015 holiday schedule (FA)

Information Agenda

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

- (1) ASU, TTU and TTUHSC: Summary of Revenues and Expenditures by Budget Category, FY 2014, per Section 01.02.8.d(3)(f), *Regents' Rules*: All actual expenditures will be reviewed by the Finance and

Administration Committee annually and provided as information.

- (2) TTUHSC and TTUHSC at El Paso: Contract Renewals per Section 07.12.4.b., *Regents' Rules*: "Approval of the President is required for all component institution contract renewals or amendments. A list of those renewal contracts in excess of \$500,000 per annum, including the amount of the contract, will be provided to the board as an information item at the next board meeting."
- (3) ASU and TTUHSC: Contracts for the services of a consultant with an initial consideration of \$25,000 or less per Section 07.12.2d(2)(b), *Regents' Rules*: "A report of the contract shall be provided as an information Agenda item at the next board meeting."
- (4) TTU: Report on establishment of new centers and institutes per Section 04.11.2., *Regents' Rules*: "The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board."
2. TTUS: Approve amendments to Chapters 01 and 02 of the *Regents' Rules* 8

XII. Reports of Standing Committees: Standing Committee reports will be presented sequentially to the Committee of the Whole.

- A. Report of the Facilities Committee Regent Montford
- B. Report of the Finance and Administration Committee..... Regent Steinmetz
- C. Report of the Academic, Clinical and Student Affairs Committee..... Regent Neal
- D. Report of the Audit Committee..... Regent Francis

XIII. The Board will continue in Open Session as the Committee of the Whole and Meeting of the Board of Regents.

- A. Schedule for Board meetings:
May 15-16, 2014, Lubbock
August 7-8, 2014, Lubbock

October 10, 2014, Lubbock
December 11-12, 2014, Lubbock Ben Lock

- B. Student Government Association—President’s Reports Luke Cotton, Hunter Atkins, and Preston Wimberly

XIV. Executive Session: The Board may convene into Executive Session, in the Masked Rider Room (Room 220), Second Floor, Student Union Building, 15th Street and Akron Avenue, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example:Chairman Long

- A. Consultation with attorney regarding privileged communications, pending or contemplated litigation and settlement negotiations – Section 551.071
- B. Deliberations regarding real property: The purchase, lease, exchange, or value of real property – Section 551.072
- C. Deliberations regarding prospective gifts – Section 551.073
- D. Personnel matters: Discuss the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of employees – Section 551.074
- E. Deliberations regarding security devices—deployment of security personnel or devices – Section 551.076

XV. Open Session: The Board will convene into Open Session in the Matador Room (Room 227), Second Floor, Student Union Building, 15th Street and Akron Avenue and meet as a Committee of the Whole and Meeting of the Board to consider and act on:

- A. Consideration of appropriate action, if any, on items discussed in Executive Session..... Vice Chairman Anders
- B. Chairman’s Announcements.....Chairman Long

XVI. AdjournmentChairman Long

1. **ASU, TTU, TTUHSC, TTUHSC at El Paso, TTUSA and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda.**

RECOMMENDATION

The chancellor recommends that the Board of Regents (i) approves the Consent Agenda for the meeting of February 27-28, 2014; and (ii) acknowledge its review of the Information Agenda for the same meeting.

BACKGROUND INFORMATION

Pursuant to Section 01.02.6.b(2), *Regents' Rules*, the Board of Regents approves certain administrative actions.

This action is required to authorize the various officers and officials of Texas Tech to perform the tasks and duties delineated in the policies of the Board of Regents. This action also confirms the authority to prepare reports, execute contracts, documents, or instruments approved within the Consent Agenda and further confirms that such authority has been delegated to the officer or official preparing and/or executing the said item.

**CONSENT/
INFORMATION
AGENDA**

BOARD OF REGENTS
TEXAS TECH UNIVERSITY SYSTEM

CONSENT AGENDA
and
INFORMATION AGENDA

February 27-28, 2014

BOARD OF REGENTS

Mr. Mickey L. Long, Chair
Mr. Larry K. Anders, Vice Chair
Mr. John D. Esparza
Mr. L. Frederick "Rick" Francis
Mr. Joshua Heimbecker, Student-Regent
Mr. Tim Lancaster
Mrs. Debbie Montford
Mrs. Nancy Neal
Mr. John D. Steinmetz
Mr. John B. Walker

Standing Committees:

Academic, Clinical and Student Affairs:
Nancy Neal (Chair), Tim Lancaster, Debbie Montford, Joshua Heimbecker
Audit:
Rick Francis (Chair), Nancy Neal, John Steinmetz

Facilities:
Debbie Montford (Chair), John Esparza, John Walker

Finance and Administration:
John Steinmetz (Chair), Rick Francis, John Walker

**TEXAS TECH UNIVERSITY SYSTEM
BOARD OF REGENTS**

February 27-28, 2014

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INFORMATION AGENDA

(Titles only; full agenda is on page 27)
Information is provided as required by
Section 01.02.6.b(2)(c), *Regents' Rules*

NOTE: The following are reports or other documents which, according to the *Regents' Rules* or state law, must be made available to the Board of Regents. As such, the reports below are on file in the Board Office, and their listing on the Information Agenda constitutes notice that they are available to Board members upon request.

- (1) **ASU, TTU and TTUHSC: Summary of Revenues and Expenditures by Budget Category, FY 2014, per Section 01.02.8.d(3)(f), *Regents' Rules*:** All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.
- (2) **TTUHSC and TTUHSC at El Paso: Contract Renewals per Section 07.12.4.b., *Regents' Rules*:** "Approval of the President is required for all component institution contract renewals or amendments. A list of those renewal contracts in excess of \$500,000 per annum, including the amount of the contract, will be provided to the board as an information item at the next board meeting."
- (3) **ASU and TTUHSC: Contracts for the services of a consultant with an initial consideration of \$25,000 or less per Section 07.12.2d(2)(b), *Regents' Rules*:** "A report of the contract shall be provided as an information Agenda item at the next board meeting."
- (4) **TTU: Report on establishment of new centers and institutes per Section 04.11.2., *Regents' Rules*:** "The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board."

a. TTU: Approve faculty developmental leaves of absence.

Board approval required by: Section 04.07, *Regents' Rules*

The request is to approve the following leaves of absence. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

Faculty Development Leaves

Faculty development leave with salary for Kenneth Baake, associate professor, Department of English, College of Arts and Sciences, August 1, 2014 to December 31, 2014, to continue detailed "media mining" research, which means reading and making notes on relevant news stories, currently and the past, in the online repositories of regional newspapers such as the *Lubbock Avalanche Journal*, *Amarillo Globe News*, and the *Odessa American*. This research will lead to a book proposal that he will submit to the TTU Press and other presses that might have an interest.

Faculty development leave with salary for Christopher Bains, associate professor, Department of Classical and Modern Languages, College of Arts and Sciences, January 1, 2015 to May 31, 2015, to travel to Paris, France to finish researching and writing the first draft of a book in progress entitled *The Transversal Imagination: Narratives of Creation in Nineteenth-Century France*. Bains previously began research on the book while on a TTU CAHSS internal grant, the outcome of which was developed in presentations and peer-reviewed book chapters.

Faculty development leave with salary for Calvin Barnes, professor, Department of Geosciences, College of Arts and Sciences, August 1, 2014 to December 31, 2014, to pursue several field-based research projects that utilize methods recently developed in his research group, with a focus on identifying projects worthy of NSF support. In addition, he will visit university colleagues in Norway, Finland, China, and Australia to collaborate on this research and to accommodate technology transfer with others interested in using his group's analytical techniques.

Faculty development leave with salary for Curtis Bauer, associate professor, Department of English, College of Arts and Sciences, January 1, 2015 to May 31, 2015, to complete his third book, a manuscript of poems entitled *Madrid - What the Tourist Must See*.

Faculty development leave with salary for Scott Baugh, associate professor, Department of English, College of Arts and Sciences, January 1, 2015 to May 31, 2015, to complete a book-length project, an edited collection tentatively entitled *Off the Margins: Writings by and about Willie Varela*.

Faculty development leave with salary for Sankar Chatterjee, Horn Professor, Department of Geosciences, College of Arts and Sciences, January 1, 2015 to May 31, 2015 to travel to India during the spring of 2015 for two different projects. The first project will be the making of a Natural History Museum at the Visva-Bharati University campus in India. The second project will be the continuation of his collaborative research on Shiva crater and dinosaur extinction in an international drilling project.

Faculty development leave with salary for Xinzhong Chen, associate professor, Department of Civil and Environmental Engineering, College of Engineering, January 1, 2015 to May 31, 2015, to develop international partnerships with Chinese researchers focusing on wind-resistant design of large flexible structures and wind hazard mitigation. The semester-long efforts will be focused on having extensive exchange of information with Chinese collaborators, determining specific research topics, and developing research proposals.

Faculty development leave with salary for Zhen Cong, assistant professor, Department of Human Development and Family Studies, College of Human Sciences, August 1, 2014 to May 31, 2015, to develop grant proposals aiming at examining end-of-life experiences in China. To achieve this objective, he will visit with his collaborators at Xian Jiatong University and seek potential collaborators in local hospitals and hospices who will help with the access to this special population.

Faculty development leave with salary for Francesca DiPoppa, associate professor, Department of Philosophy, College of Arts and Sciences, August 1, 2014 to May 31, 2015, to complete a book manuscript and submit it to a major academic publisher. The central component of the book project will be to examine Benedictus de Spinoza's philosophical mode of causation.

Faculty development leave with salary for Genevieve Durham, associate professor, Department of Theatre and Dance, College of Visual and Performing Arts, August 1, 2014 to December 31, 2014, to facilitate the completion of a monograph entitled *Toward Innovative and Transdisciplinary Methodologies*. The monograph is currently under contract with Common Ground Publishing, Inc. The contract stipulates the submission of the monograph by December 1, 2014. The monograph is a culminating feature of a funded line of transdisciplinary research in performative social science that began in April, 2011. Her co-author is Elizabeth Sharp in the Department of Human Development and Family Studies at Texas Tech University.

Faculty development leave with salary for Idoia Elola, associate professor, Department of Classical and Modern Languages and Literatures, College of Arts and Sciences, January 1, 2015 to May 31, 2015, to prepare her co-authored book, *Foreign Language Writing in the 21st Century: Research and Pedagogy*, for publication. The book is based on original research filling a major gap in Second

Language Acquisition theory and practice. She will work with Dr. Ana Oskoz from the University of Maryland. The development leave will provide time to refine content and present the book to the refereed editorial board of the Theory and Practice in Second Language Instruction Series (Pearson Education). This editorial board, comprised of scholars from Tier One North American Universities, has already expressed interest in the volume.

Faculty development leave with salary for Michael Finke, professor, Department of Personal Financial Planning, College of Human Sciences, August 1, 2014 to December 31, 2014, to work with the Director of Deferred Compensation for the City and County of San Francisco to study the use of emergency loans against retirement savings. The purpose of this project is to gain a better understanding of who borrows against retirement savings as well as to understand whether the financial literacy education can reduce the magnitude and frequency of borrowing. This research will be the first to study how time preference and financial literacy affect employee borrowing against qualified retirement savings.

Faculty development leave with salary for Deborah Fowler, associate professor, Department of Nutrition, Hospitality and Retailing, College of Human Sciences, January 1, 2015 to May 31, 2015, to develop a curriculum and write course proposals focused on a track in Retail Management within the existing Ph.D. in Hospitality Administration. In addition, she plans to develop online courses for the masters and doctoral program.

Faculty development leave with salary for Bijoy Ghosh, professor, Department of Mathematics and Statistics, College of Arts and Sciences, August 1, 2014 to December 31, 2014 to extend research towards an array of robotic head/eye complex. Specifically he will study how a network of robots would attend to a visual scene, by using human head movement in a social setting to control a team of robots to mimic the group behavior. The project will be conducted at the Robotic research lab at Boston University in consultation with researchers at the Massachusetts Institute of Technology.

Faculty development leave with salary for Luis Grave de Peralta, associate professor, Department of Physics, College of Arts and Sciences, August 1, 2014 to December 31, 2014 to plan to explore possible applications of the scientific and technical results obtained during five years (2010-2014) of research funded through his NSF-CAREER Grant "Plasmon Tomography". During the leave he will foster the existing collaboration between the company LJ Technologies and his research group. He expects the collaboration between the Nanotech Center at TTU and LJ Technologies will result in the commercialization of technologies made possible by the research funded by his NSF-CAREER Grant.

Faculty development leave with salary for Callum Hetherington, assistant professor, Department of Geosciences, College of Arts and Sciences, January 1, 2015 to May 31, 2015, to integrate datasets collected by current graduate and

undergraduate research students working on externally funded research and prepare the results for publication. Hetherington will also conduct fieldwork, and sampling, to develop a new funding proposal for submission to the National Science Foundation on the mobility of rare-earth and high-field strength elements.

Faculty development leave with salary for Louisa Hope-Weeks, professor, Department of Chemistry and Biochemistry, College of Arts and Sciences, August 1, 2014 to May 31, 2015, to participate in research activities in the laboratory of Dr. Thomas Thundat at the University of Alberta in Edmonton, Alberta, Canada. Hope-Weeks will investigate a new direction for immobilizing molecular recognition elements at active surfaces of cantilever sensors. The research project will focus in the area of micro-mechanical sensors. This experience will be synergistic with her teaching and enrich the content of her courses at both the graduate and undergraduate levels.

Faculty development leave with salary for Ram Iyer, associate professor, Department of Mathematics and Statistics, College of Arts and Sciences, January 1, 2015 to May 31, 2015 to work with Dr. Ciro Visone at the University of Sannio, Benevento, Italy, and Dr. Pavel Krejei at the Institute of Mathematics, Czech Academy of Sciences, on problems related to the modeling, analysis, and control systems of hysteresis. Iyer's objectives are to extend and broaden a functional model for hysteresis to new domains, developing methodologies and controllers including building on work developed in a recent student dissertation, capitalizing on laboratory facilities at Sannio, exploring collaborative options with Dr. Visone and Dr. Krejei and promoting Texas Tech University options to students of Sannio.

Faculty development leave with salary for Sophia Jang, associate professor, Department of Mathematics and Statistics, College of Arts and Sciences, August 1, 2014 to January 31, 2015, to attend the Mathematical Biosciences Institute (MBI) workshop on "Ecology and Evolution of Cancer" at Ohio State University, in Columbus Ohio and to visit the Institute of Mathematics, Academia Sinica in Taiwan. Attendance at the workshop will provide immersion into current, contemporary research approaches to modeling cancer growth, treatments and treatment responses. Dr. Jang's visit at the Institute of Mathematics in Taiwan will allow her to continue collaborating with a colleague there to complete a pending, joint research project and to extend their collaboration in secondary directions.

Faculty development leave with salary for David Knaff, Horn Professor, Department of Chemistry and Biochemistry, College of Arts and Sciences, January 1, 2015 to May 31, 2015, to conduct research in two labs in the Paris region. With the Setif at the French Atomic Energy Commission in Saclay, he will use instrumentation not available at Texas Tech University to perform cutting-edge experiments that examine molecular level details of charge transfer in

photosynthetic protein systems unique to his laboratory. With the Lemaire research group at the Institut De Biologie Physico-Chimique (IBPC) in Paris, he has been invited into a project that will apply his special expertise in cysteine oxidation/reduction chemistry to build on Lemaire group discoveries that impact understanding of a plant biochemical signaling pathway (nitrosylation) that has broad importance.

Faculty development leave with salary for Timothy Nokken, associate professor, Department of Political Science, College of Arts and Sciences, August 1, 2014 to December 31, 2014, to travel to the University of Tampere in Finland to teach in the political science and North American Studies Center, and conduct research on the emergence of the Tea Party in the US, and right wing extremist parties in European Union countries under a teaching/research Fulbright Scholar Grant.

Faculty development leave with salary for Patricia Pelley, Associate Professor, Department of History, College of Arts and Sciences, August 1, 2014 to December 31, 2014, to travel to the Vietnamese National Archives (Centers One and Three in Hanoi) and in the library of Bac Ninh Diocese (outside Hanoi) to research and write the first draft of a manuscript entitled *The Autobiographies of Nguyen Tan Van: History, Resistance, Redemption*. The completed manuscript will be submitted to Duke University Press in August 2015.

Faculty development leave with salary for Carmen Pereira-Muro, associate professor, Department of Classical and Modern Languages, College of Arts and Sciences, August 1, 2014 to December 31, 2014, to develop a book manuscript entitled *Displacements: Poetics of Place and Absence in the Literary Works of Rosalia de Castro and Emilia Pardo Basan*. She will travel to Galicia, Spain to make use of the two writers' archives.

Faculty development leave with salary for Sean Rice, professor, Department of Biological Sciences, College of Arts and Sciences, August 1, 2014 to December 31, 2014, to write a book on his research concerning mathematical evolutionary theory.

Faculty development leave with salary for Yuan Shu, associate professor, Department of English, College of Arts and Sciences, August 1, 2014 to December 31, 2014, to research in the United States and in China and finish one critical essay and two review essays on the subject, "Chinese Railroad Workers in North America," which is part of Stanford University's multi-year and multi-national digital humanities project. These essays will be included in a volume to be published by Stanford University Press in 2015.

Faculty development leave with salary for Angela M. Smith, associate professor, School of Music, College of Visual and Performing Arts, August 1, 2014 to December 31, 2014, to develop her dissertation as a formal proposal to Oxford University Press, to undertake the subsequent revision process, and to expand

the insights of the dissertation in the form of refereed publications and guest teaching opportunities.

Faculty development leave with salary for Vickie Sutton, professor, School of Law, August 1, 2014 to December 31, 2014, to develop a book manuscript on international law and biosecurity, to complete the review of *The Science of Making Environmental Law* with Oxford University Press for publication, and to begin the development of an online course in Biosecurity Law.

Faculty development leave with salary for Igor Voloboev, associate professor, Department of Physics, College of Arts and Sciences, August 1, 2014 to May 31, 2015, to research in the areas of jet reconstruction in particle physics and development of advanced data analysis techniques for the Compact Muon Solenoid (CMS) experiment at the Large Hadron Collider (LHC) maintained by the European Organization for Nuclear Research (CERN).

Faculty development leave with salary for Kevin Waas, associate professor, School of Music, College of Visual and Performing Arts, January 1, 2015 to May 31, 2015, to apply for a residency at the Banff Centre for the Arts, Banff, Alberta, Canada. The residency will allow intense study and practice in preparing for a recording of his arrangements. Waas will prepare editions for tuba and piano of eight works by Johann Sebastian Bach and record the arrangements. These will be the first complete recordings on tuba of seven of the eight works, and the first performing editions for contrabass tuba of five of the works.

Faculty development leave with salary for Shiren Wang, associate professor, Department of Industrial Engineering, College of Engineering, January 1, 2015 to May 31, 2015, to serve as a visiting professor at Bei Hang University in Beijing, China to work on a collaborative project on additive manufacturing. The purpose of this project is to investigate the manufacturing process, quality control, rate and scalability for state-of-the-art additive manufacturing.

Faculty development leave with salary for Brandon Weeks, professor, Department of Chemical Engineering, College of Engineering, August 1, 2014 to May 31, 2015, to participate in research activities in the laboratory of Dr. Thomas Thundat at the University of Alberta in Edmonton, Alberta, Canada. The research will focus on developing chemical sensors with extremely high sensitivity using micro and nanocantilever arrays for energy applications.

Faculty development leave with salary for William Wenthe, professor, Department of English, College of Arts and Sciences, January 1, 2015 to May 31, 2015, to write and revise poems toward the ultimate objective of publishing these poems both in literary journals and in book form.

Faculty development leave with salary for Christopher Witmore, associate professor, Department of Classical and Modern Languages, College of Arts and

Sciences, August 1, 2014 to May 31, 2015, to write a book entitled *Old Lands: A Choreography of the Eastern Morea, Greece*. An exploration of Greece's most storied and archaeologically saturated region, the Eastern Morea, otherwise known as the Peloponnese, *Old Lands* raises the stakes in both archaeology and cultural geography by challenging conventional syntheses or regional history and expanding the purview of landscape studies.

Faculty development leave with salary for Kai Zhang, associate professor, Department of Biological Sciences, College of Arts and Sciences, January 1, 2015 to May 31, 2015, to write another proposal to the National Institutes of Health, to submit and publish two research papers and to retool his lab by attending workshops.

Faculty development leave with salary for Yuanlin Zhang, associate professor, Department of Computer Science, College of Engineering, August 1, 2014 to December 31, 2014, to continue collaboration with a colleague in China in order to advance research knowledge representation applied to healthcare. Zhang will develop principles, methodologies and tools to help doctor's access vast amounts of knowledge by automated reasoning. If successful, his research is expected to produce new results on representing and reasoning with large scale knowledge base and fundamental impact to the critical applications in robotics and healthcare.

BACKGROUND INFORMATION

Board approval is required for leaves of absence for faculty. The existing policy provides that leaves may be granted under conditions allowable by the State of Texas. Faculty members submit requests for leave through their respective deans to the provost. The provost has approved each leave as indicated, based on recommendations of the Faculty Development Leave Review Committee.

The principle objective of faculty development leaves is to enable faculty members to engage in study, research, writing, field work, or similar professional activities for a period of time free from their other obligations at the university. The ultimate purpose of faculty development leaves is to subsequently enhance educational offerings available to Texas Tech University students through the faculty members' refreshed or expanded knowledge gained from the leave activities. A faculty member is eligible when he or she has served as a member of the Texas Tech faculty for at least five academic years and is tenured by the time of the leave. Each faculty development leave application is submitted through the respective dean, then reviewed by a university-wide faculty committee, with recommendations made to the provost and then to the president. Applications are reviewed according to criteria including the potential of the work to contribute to the faculty member's field, evidence that the faculty member has already shown professional growth in the field, and evidence of the potential for continuing scholarship in teaching and research at Texas Tech. Faculty development leaves may be granted for one semester at full salary or for

an academic year (two semesters) at one-half salary. In addition to the salary commitment, the provost's office remunerates the faculty member's home department \$5,500 to offset the costs of covering the faculty member's teaching while on leave. Up to 39 faculty development leaves are budgeted for FY 2014-2015. Faculty development leave is being used as one incentive for faculty to apply for prestigious national and international fellowships, such as Fulbright Fellowships. Depending on the outcomes of faculty applications for these types of fellowships, additional faculty development leaves may be requested in the coming months.

b. TTU: Approve a Bachelor of Applied Arts and Sciences degree in the Office of the Provost.

Board approval required by: Section 04.09, *Regents' Rules*; TTU Operating Policy 36.04; and Chapter 5, subchapter C, THECB Laws and Rules.

The request is to approve a Bachelor of Applied Arts and Sciences in Applied Leadership and authorize submission by the Office of the Provost and the Senior Vice President to the Texas Higher Education Coordinating Board for public comment and the Southern Association of Colleges and Schools Commission on Colleges for their approval. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

The new degree program allows students who have earned an Associate of Applied Arts or Applied Sciences from a two-year institution to complete a Bachelor of Applied Arts and Sciences at Texas Tech University with two additional years of study (63 SCH minimum). The degree is available only to applicants who have completed an Associate of Applied Science or Associate of Applied Arts; it will not be open to Texas Tech students seeking to change their major.

The degree provides a vehicle for students who have completed an applied program of studies at a two-year institution to earn a bachelor's degree. BAAS students must complete the Texas Tech University core curriculum and two areas of concentration (18 SCH each) selected from a choice of Personal Financial Planning (College of Human Sciences), Agricultural Leadership (College of Agricultural Sciences and Natural Resources), or Human Resources Development (University Programs/Office of the Provost). It is anticipated that the combination of technical skill and knowledge gained through completion of the Associate degree combined with the BAAS from Texas Tech will open employment or promotion opportunities beyond what might be available for individuals who have earned only the Associate degree. This degree may be especially attractive to veterans of military service who have been able to apply equivalency for military training toward completion of their Associate degree and who can utilize veterans' benefits to finance their further education. Once established, the BAAS degree will be available for proposals from various academic units to create other majors.

The BAAS in Applied Leadership proposal estimates an initial enrollment of 50 students that will grow to 300 by the fifth year. The program utilizes existing faculty and courses so only an advisor will be needed to staff it. Five-year costs are estimated to be \$89,000 and five-year income, based on formula funding, tuition, and fees are projected to be \$2.95 million.

c. TTU: Approve a Masters in Social Work degree in the College of Arts and Sciences.

Board approval required by: Section 04.09, *Regents' Rules*; TTU Operating Policy 36.04; and Chapter 5, subchapter C, THECB Laws and Rules.

The request is to approve the proposal to create a Masters in Social Work and authorize submission, by the Office of the Provost and the Senior Vice President to the Texas Higher Education Coordinating Board for public comment and the Southern Association of Colleges and Schools Commission on Colleges for their approval. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

The new degree program responds to high demand locally and across Texas for professionally trained social workers. The Department of Sociology, Anthropology, and Social Work has offered an accredited social work bachelor of arts degree since 1980, but students seeking the Masters in Social Work, which is the accepted professional degree for social workers, are not able to complete this degree at Texas Tech University. Demand for the degree is high and local agencies that hire social workers as well as bachelor's level social workers in the South Plains region have requested for many years that a Masters in Social Work program be initiated at Texas Tech. The Texas Tech University Health Sciences Center, the region's hospitals, and many private and governmental social service agencies all employ master's-level social workers. There is also unmet demand for social workers in rural counties surrounding Lubbock.

The basic degree will require 2 years of study (59 SCH) to complete (4 years for part-time students who complete the degree while they work); additionally, there will be an Advanced Standing Program for students who have completed a Bachelor's degree in social work that can be completed in one year (32 SCH). It is estimated that 16 students will be admitted to the program in the first year (10 full-time and 6 part-time) and that this number will grow to an anticipated capacity of 67 students in year 5 (42 full-time and 25 part-time).

The Social Work Program currently has 4 full-time faculty. Creation of the Masters in Social Work will require hiring four additional faculty members, including a program director. It is anticipated that one additional faculty member will be added in year 4 or 5 after the program is initiated. Estimated cost for the program over the first 5 years, including personnel and facilities, is \$1.65 million, with total funding from tuition, fees, and formula funding at \$2.64 million.

d. TTUHSC: Approve appointment and re-appointment to a non-elective position of honor.

Board approval required by: Section 574.001, *Texas Government Code* and HSC OP 70.18

The request is to approve the appointment of Jason Cooper, EMT-P, MPAS, PA-C, School of Allied Health Sciences, to serve on the Texas Physician Assistant Board, and the reappointments of Brian Irons, PharmD, FCCP, BCACP, BCPS, BC-ADM, to serve on the Texas State Board of Examiners of Dietitians, and Tammy Camp, MD, to serve on the Texas State Board of Examiners of Speech-Language Pathology and Audiology.

BACKGROUND INFORMATION

Mr. Jason Cooper has been appointed by Governor Rick Perry to serve on the Texas Physician Assistant Board for a term to expire on February 1, 2017. This board establishes and maintains the standards of excellence to regulate physician assistants and ensure quality health care through licensing, discipline and education.

Mr. Cooper is the director of Clinical Education and an assistant professor in the School of Allied Health Sciences' Physician Assistant program. He is a part-time physician assistant at the Mitchell County Hospital District and a member of the Texas and American Academies of Physician Assistants, the Physician Assistant Education Association, and the National Eagle Scout Association. He is also a former paramedic and volunteer firefighter for the cities of Snyder and Colorado City. Mr. Cooper received a master's degree in physician assistant studies from TTUHSC.

Dr. Brian Irons has been reappointed by Governor Rick Perry to serve on the Texas State Board of Examiners of Dietitians, the board that licenses and regulates dietitians, for a second term to expire on September 1, 2019.

Dr. Irons has been with the TTUHSC School of Pharmacy since 1999 and is an associate professor specializing in ambulatory care. He heads the Ambulatory Care Division within the Department of Pharmacy Practice. He received his BS and PharmD from the University of Wisconsin – Madison. He completed his Pharmacy Practice Residency at United Hospital in St. Paul, Minnesota and an Ambulatory/ Managed Care Residency with the TTUHSC School of Pharmacy. Dr. Irons is certified by the Board of Pharmacy Specialties in both ambulatory care and pharmacotherapy and is also board certified in advanced diabetes management. In 2011, Dr. Irons was named Fellow by the American College of Clinical Pharmacy for sustained excellence in the discipline of clinical pharmacy.

Dr. Tammy Camp has been reappointed by Governor Rick Perry to serve on the Texas State Board of Examiners of Speech-Language Pathology and Audiology, the board that licenses and regulates speech-language pathologists and audiologists, for a second term to expire on August 31, 2019.

Dr. Camp has been with the Texas Tech University School of Medicine since 1997 and is an associate professor in the Department of Pediatric and serves as the pediatric residency program director and the division chief of General Pediatrics. She received her BS degree from Abilene Christian University, her MD from Texas Tech University School of Medicine, and completed her internship and residency training in the Department of Pediatrics at TTUHSC. Dr. Camp is certified by the American Board of Pediatrics, and is a fellow of the American Academy of Pediatrics. She is actively involved in the Texas Pediatric Society where she serves on the Executive Board as the chair of the West Region. Dr. Camp is a member of and involved in the Association of Pediatric Program Directors and the Academic Pediatric Association.

e. **ASU: Approve naming of weight room in Junell Center/ Stephens Arena and of the Center for Human Performance Building.**

Board approval required by: Sections 08.05 and 08.05.3, *Regents' Rules*

The request is to approve two naming at Angelo State University. The first request is to approve naming the weight room in the Junell Center/Stephens Arena the "Ben and Alvetta Kelly Weight Room". The donor concurs with the naming of this facility.

Mike Millegan made a generous donation to fully fund the weight room renovation in the Junell Center/Stephens Arena at Angelo State University. In recognition of the gift, the weight room will be named the "Ben and Alvetta Kelly Weight Room".

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

The second request is to name the Center for Human Performance Building the "Ben Kelly Center for Human Performance Building" in recognition of Mr. Kelly's contributions to Angelo State University and the youth of San Angelo.

Mr. Ben Kelly played football at San Angelo College ("SAC") from 1953-1954 and was a two-time All-Pioneer Conference first team selection. The first game Kelly played in was a 26 to 0 season-opening win on Sept. 19, 1953 over Phoenix College at Bobcat Stadium, eight months before the landmark Brown v. Board of Education decision. All Mr. Kelly wanted to do was play football at San Angelo College, but in the process he became a racial pioneer as likely the first African American to start a collegiate football game for a previously segregated Texas institution of higher learning.

Mr. Kelly graduated from Blackshear, an all-black high school in San Angelo, in 1950. He went on to play at the University of Illinois for two seasons and served two years in the Army before coming back to San Angelo. He was signed by the San Francisco 49ers and played one season before playing a year with the New York Giants under Vince Lombardi and Tom Landry.

Just as he had influenced the attitudes of his SAC teammates and his community in 1953 and 1954, he helped shape the lives of hundreds of San Angelo youth through the Boys and Girls Club. His contributions to so many San Angelo kids were recognized in 1993 with the naming of a new \$500,000 gymnasium in his honor at the Boys and Girls Club in north San Angelo. After 29 years with the Boys and Girls Club, he retired as its executive director in 1996.

Over the years his many honors have included the Bronze Keystone Award from

the Boys and Girls Clubs of America, the Liberty Bell Award from the Tom Green County Bar Association and the Outstanding Achievement Award from the San Angelo Chapter of the NAACP.

Both of these requests have been approved administratively by the president and the chancellor and are recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

Section 08.05, *Regents' Rules*, state that the Board of Regents, upon the recommendation of the president and chancellor shall approve the naming of all buildings, auditoriums, rooms, laboratories, streets, athletic fields, landscape features and other facilities within the Texas Tech University System. An individual, foundation, or corporation providing funding to build new facilities, to renovate or expand existing facilities, or to provide an endowment for the support of a facility or facility-based program of the TTU system may have an area named after the donor provided 50 percent of the cost of the designated area and/or equipment therein is contributed by the donor.

Section 08.05.3, *Regents' Rules*, requires that the Board of Regents approve any change in the name of existing or planned facilities.

f. ASU: Approve renaming of LeGrand Sports Complex.

Board approval required by: Section 08.05, *Regents' Rules*

The request is to approve renaming the LeGrand Sports Complex to the "LeGrand Stadium and Sports Complex". The donor concurs with the renaming of this facility. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

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

BACKGROUND INFORMATION

Dr. and Mrs. Robert LeGrand made generous donations to fund new facilities and improvements to the LeGrand Sports Complex at Angelo State University. These include the press box, bleachers, a new lighting system, scoreboard, track surface and other improvements. In recognition of the gifts, the LeGrand Sports Complex will be renamed the "LeGrand Stadium and Sports Complex".

Section 08.05, *Regents' Rules*, state that the Board of Regents, upon the recommendation of the president and chancellor shall approve the naming of all buildings, auditoriums, rooms, laboratories, streets, athletic fields, landscape features and other facilities within the Texas Tech University System. An individual, foundation, or corporation providing funding to build new facilities, to renovate or expand existing facilities, or to provide an endowment for the support of a facility or facility-based program of the TTU system may have an area named after the donor provided 50 percent of the cost of the designated area and/or equipment therein is contributed by the donor.

g. TTU: Approve naming opportunities in Petroleum Engineering Research Building.

Board approval required by: Section 08.05, *Regents' Rules*

The request is to approve naming opportunities in the Terry Fuller Petroleum Engineering Research Building as follows:

Guthrie Family Conference Room
Michael Herd Fracturing and Production Laboratory
Marshall and Angela Watson Group Study Room

The donors concur with the naming of these facilities.

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

BACKGROUND INFORMATION

The naming opportunities were available to donors who made a contribution to the Terry Fuller Petroleum Engineering Research Building.

Section 08.05, *Regents' Rules*, state that the Board of Regents, upon the recommendation of the president and chancellor shall approve the naming of all buildings, auditoriums, rooms, laboratories, streets, athletic fields, landscape features and other facilities within the Texas Tech University System. An individual, foundation, or corporation providing funding to build new facilities, to renovate or expand existing facilities, or to provide an endowment for the support of a facility or facility-based program of the TTU system may have an area named after the donor provided 50 percent of the cost of the designated area and/or equipment therein is contributed by the donor.

h. TTU: Approve naming in College of Media and Communication.

Board approval required by: Section 08.05, *Regents' Rules*

The request is to approve naming a classroom in the College of Media and Communication the "Tom and Ann Ward Classroom". The donor concurs with the naming of this facility. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

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

BACKGROUND INFORMATION

Tom and Ann Ward made a generous donation to the Media and Communication Excellence and Innovation Fund in the College of Media and Communication. In recognition of the gift, classroom 156 will be named the "Tom and Ann Ward Classroom".

Section 08.05, *Regents' Rules*, state that the Board of Regents, upon the recommendation of the president and chancellor shall approve the naming of all buildings, auditoriums, rooms, laboratories, streets, athletic fields, landscape features and other facilities within the Texas Tech University System. An individual, foundation, or corporation providing funding to build new facilities, to renovate or expand existing facilities, or to provide an endowment for the support of a facility or facility-based program of the TTU system may have an area named after the donor provided 50 percent of the cost of the designated area and/or equipment therein is contributed by the donor.

i. **TTU: Approve revision to Permanent Right of Access and Use of Texas Tech University land to the City of Lubbock.**

Board approval required by: Section 07.12.2.e, *Regents' Rules*

The request is to authorize the president to revise the permanent right of access and use agreement to reflect the actual construction location of the City of Lubbock's water infrastructure and meter that will serve the new Student Housing Complex; and (ii) the agreement will reflect 0.0495 acres (2,156.1 SF) in lieu of the original approval of 0.047 acres (2,056.1 SF). This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

In December 2013 (Consent Agenda Item), the Board of Regents approved a permanent right of access and use by the City of Lubbock of 0.047 acres (2,056.1 SF) of Texas Tech University (TTU) land to allow for the installation and maintenance of city water infrastructure and meter that will serve the new Student Housing Complex and future phase.

Installation of another utility has created a conflict with the previously programmed and approved location of the underground vault. Therefore, the vault location is being adjusted several feet to the west of the approved location. As such, the legal agreement needs to be modified and re-approved.

Section 07.12.2.e, Regent's Rules require that Board approval is required for contracts that involve the sale or a lease of land for more than four years or that involve a commitment of funds or of other resources for more than four years except all multi-year employment contracts, employment contract modifications and extensions covered under the provisions of Section 02.03.1, *Regents' Rule*.

j. **TTU: Approve naming of center in Edward E. Whitacre College of Engineering.**

Board approval required by: Section 06.06.1, *Regents' Rules*

The request is to approve naming a center in the Edward E. Whitacre College of Engineering the "ConocoPhillips Center for Engineering Enrichment and Diversity". The donor concurs with the naming of this facility. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

The ConocoPhillips Center for Engineering Enrichment and Diversity will be located in the Engineering Center. The vision of the ConocoPhillips Center for Engineering Enrichment and Diversity is to provide a 'one-stop' location for students who need extra assistance to earn their engineering degree. ConocoPhillips is providing funding to establish and operate the center for 5 years. The naming of the ConocoPhillips Center for Engineering Enrichment and Diversity will be for a period of 5 years, concurrent with their gift commitment or as long as ConocoPhillips continues to fund the Center at an appropriate level.

Section 06.06.1, *Regents' Rules*, state that any naming related to an endowment or other gift that are named in accordance with the wishes or in honor of a donor, must receive final approval before said designation may be announced.

k. ASU: Approve FY 2015 holiday schedule.

Board approval required by: Section 03.09, *Regents' Rules*, and Section 662.011, *Texas Government Code*

The request is to approve the FY 2015 holiday schedule for Angelo State University as presented on the following page. This request has been approved administratively by the president and chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

Section 662.011, *Texas Government Code*, authorizes the Board to establish the holiday schedule for Angelo State University provided that the number of holidays to be observed does not exceed the number of holidays observed by other state agencies.

State law provides for seventeen (17) state holidays in FY 2015. In FY 2015, one (1) holiday falls on a weekend and one (1) holiday, Confederate Heroes Day, falls on January 19, Martin Luther King, Jr. Day and cannot be substituted for other regular working days. The result is fifteen (15) holidays for FY 2015.

It is recommended that the actual observance of some holidays be transferred to coincide with the academic holiday schedule. This will provide an efficient academic schedule and permit energy conservation and cost avoidance by closing offices during periods when classes are not in session.

ANGELO STATE UNIVERSITY
Holiday Schedule for 2014-2015

	DATE	DAY OF WEEK	HOLIDAY
2014	September 1	Monday	Labor Day
	November 27	Thursday	Thanksgiving Day
	November 28	Friday	Thanksgiving Day
	December 22	Monday	Christmas Eve
	December 23	Tuesday	Christmas Day
	December 24	Wednesday	Winter Holiday
	December 25	Thursday	Winter Holiday
	December 26	Friday	Winter Holiday
	December 29	Monday	Winter Holiday
	December 30	Tuesday	Winter Holiday
	December 31	Wednesday	Winter Holiday
2015	January 1	Thursday	New Years
	January 19	Monday	Martin Luther King Day
	April 3	Friday	Spring Holiday
	May 25	Monday	Memorial Day
TOTAL ALLOWABLE HOLIDAYS			15

NOTE: University employees who wish to observe Rash Hashanah, Yom Kippur, and Cesar Chavez Day may do so, but must use their vacation leave.

State law provides for seventeen (17) state holidays in FY 2015. In FY 2015, one (1) holiday falls on a weekend and one (1) holiday, Confederate Heroes Day, falls on January 19, Martin Luther King, Jr. Day and cannot be substituted for other regular working days. The result is fifteen (15) holidays for FY 2015.

I. TTU and TTUSA: Approve FY 2015 holiday schedule.

Board approval required by: Section 03.08, *Regents' Rules*; Section 662.011, Texas Government Code

The request is to approve the FY 2015 holiday schedule for Texas Tech University and Texas Tech University System Administration as presented on the following page. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

Title 6, Section 662.011, *Texas Government Code*, as amended, authorizes the Board to establish the holiday schedule for Texas Tech University and Texas Tech University System Administration provided that the number of holidays to be observed does not exceed the number of holidays observed by other state agencies.

State law provides for seventeen (17) state holidays in FY 2015. In FY 2015 one (1) holiday falls on a weekend and (1) holiday, Confederate Heroes Day, falls on January 19, Martin Luther King, Jr. Day. The result is fifteen (15) holidays for FY 2015.

It is recommended that the actual observance of some holidays be transferred to coincide with the academic holiday schedule. This will provide an efficient academic schedule and permit energy conservation and cost avoidance by closing offices during periods when classes are not in session.

**TEXAS TECH UNIVERSITY
TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION
Holiday Schedule 2014-2015**

	DATE	DAY OF WEEK	HOLIDAY
2014	September 1	Monday	Labor Day
	November 27	Thursday	Thanksgiving
	November 28	Friday	Thanksgiving
	December 22	Monday	Winter Break
	December 23	Tuesday	Winter Break
	December 24	Wednesday	Christmas Eve
	December 25	Thursday	Christmas Day
	December 26	Friday	Winter Break
	December 29	Monday	Winter Break
	December 30	Tuesday	Winter Break
December 31	Wednesday	Winter Break	
2015	January 1	Thursday	New Year's
	January 19	Monday	Martin Luther King Day
	March 20	Friday	Spring Break
	May 25	Monday	Memorial Day

TOTAL ALLOWABLE HOLIDAYS: 15

NOTE: University employees who wish to observe Rosh Hashanah, Yom Kippur, Cesar Chavez Day and Good Friday may do so, but must use their vacation leave.

State law provides for seventeen (17) state holidays in FY 2015. In FY 2015 one (1) holiday falls on a weekend and one (1) holiday, Confederate Heroes Day, falls on January 19, Martin Luther King, Jr. Day. The result is fifteen (15) holidays for FY 2015.

m. TTU: Approve commissioning of police officers.

Board approval required by: Section 51.203, *Texas Education Code*

The request is to commission the following individuals as police officers, effective on the date indicated below. This request has been approved administratively by the chancellor and the president and is recommended for approval by the Board of Regents:

Tyler Snelson, effective October 16, 2013
Bruce Gonzales, effective October 16, 2013
Luke Smith, effective October 16, 2013
NaQuelia Culver-Edwards, effective October 16, 2013

BACKGROUND INFORMATION

The Board of Regents routinely takes action to commission certain employees as peace officers in accordance with *Texas Education Code*, Section 51.203.

n. **TTUHSC: Approval of the FY 2015 holiday schedule.**

Board approval required by: Section 3.09, *Regent's Rules*

The request to approve the FY 2015 holiday schedule for Texas Tech University Health Sciences Center as presented on the following page. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

Section 662.011, Title 6 of the Texas Government Code, as amended, authorizes the Board to establish the holiday schedule for Texas Tech University Health Sciences Center provided that the number of holidays scheduled do not exceed the number of holidays observed by other state agencies. There are 17 days in the holiday schedule. In FY 2015, one national holiday falls on the same date as a state holiday and one holiday falls on a weekend and cannot be substituted for other regular working days. The result is 15 holidays for FY 2015. It is recommended that the actual observance of some holidays be transferred to coincide with the academic and clinical holiday schedule. This will provide efficient academic and clinical holiday schedules and permit energy conservation and cost avoidance by closing offices during periods when classes and/or clinics are not in session. TTUHSC will observe 12 holidays for academic, administrative and clinical operations and an additional three days of holiday entitlement will be accrued to employees' holiday comp time leave balances.

**TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER
Holiday Schedule 2014-2015**

	DATE	DAY OF WEEK	HOLIDAY
2014	September 1	Monday	Labor Day
	November 27	Thursday	Thanksgiving Day
	November 28	Friday	Thanksgiving Holiday
	December 24	Wednesday	Christmas Eve
	December 25	Thursday	Christmas Day
	December 26	Friday	Winter Holiday
	December 31	Wednesday	New Year's Eve
2015	January 1	Thursday	New Year's Day
	January 19	Monday	Martin Luther King Day
	March 20	Friday	Spring Holiday
	May 25	Monday	Memorial Day
	July 3	Friday	Independence Day Holiday

TOTAL ALLOWABLE HOLIDAYS: 12

NOTE: State law provides for 17 state holidays. In FY 2015, one (1) state holiday falls on a weekend and one (1) falls on the same day as a national holiday. The appropriations bill disallows state holidays occurring on weekends. Therefore, the state will observe fifteen (15) holidays in FY 2015, which is the same as FY 2014. TTUHSC will observe 12 holidays.

An additional 3 days of holiday entitlement will be accrued at the rate of two hours per month.

State employees are entitled to observe the holidays of Rosh Hashanah, Yom Kippur, Good Friday and Cesar Chavez Day in lieu of any holiday(s) on which the institution is required to be open and staffed to conduct business.

o. TTUHSC at El Paso: Approval of the FY 2015 holiday schedule.

Board approval required by: Section 3.09, *Regent's Rules*

The request to approve the FY 2015 holiday schedule for Texas Tech University Health Sciences Center at El Paso as presented on the following page. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

Section 662.011, Title 6 of the Texas Government Code, as amended, authorizes the Board to establish the holiday schedule for Texas Tech University Health Sciences Center at El Paso provided that the number of holidays scheduled do not exceed the number of holidays observed by other state agencies. There are 17 days in the holiday schedule. In FY 2015, one national holiday falls on the same date as a state holiday and one holiday falls on a weekend and cannot be substituted for other regular working days. The result is 15 holidays for FY 2015. It is recommended that the actual observance of some holidays be transferred to coincide with the academic and clinical holiday schedule. This will provide efficient academic and clinical holiday schedules and permit energy conservation and cost avoidance by closing offices during periods when classes and/or clinics are not in session. TTUHSC at El Paso will observe 12 holidays for academic, administrative and clinical operations and an additional three days of holiday entitlement will be accrued to employees' holiday comp time leave balances.

**TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER-EL PASO
Holiday Schedule 2014-2015**

	DATE	DAY OF WEEK	HOLIDAY
2014	September 1	Monday	Labor Day
	November 27	Thursday	Thanksgiving Day
	November 28	Friday	Thanksgiving Holiday
	December 24	Wednesday	Christmas Eve
	December 25	Thursday	Christmas Day
	December 26	Friday	Winter Holiday
	December 31	Wednesday	New Year's Eve
2015	January 1	Thursday	New Year's Day
	January 19	Monday	Martin Luther King Day
	March 13	Friday	Spring Holiday
	May 25	Monday	Memorial Day
	July 3	Friday	Independence Day Holiday

TOTAL ALLOWABLE HOLIDAYS: 12

NOTE: State law provides for 17 state holidays. In FY 2015, one (1) state holiday falls on a weekend and one (1) falls on the same day as a national holiday. The appropriations bill disallows state holidays occurring on weekends. Therefore, the state will observe fifteen (15) holidays in FY 2015, which is the same as FY 2014. TTUHSC will observe 12 holidays.

An additional 3 days of holiday entitlement will be accrued at the rate of two hours per month.

State employees are entitled to observe the holidays of Rosh Hashanah, Yom Kippur, Good Friday and Cesar Chavez Day in lieu of any holiday(s) on which the institution is required to be open and staffed to conduct business.

CONTENTS OF THE INFORMATION AGENDA

Section 01.02.6.b(2)(c), *Regents' Rules*, provides: “material required by a provision of the *Regents' Rules* to be furnished to the Board as information will be listed in the information agenda.”

NOTE: The following are reports or other documents which, according to the *Regents' Rules* or state law, must be made available to the Board of Regents. As such, the reports below are on file in the Board Office, and their listing on the Information Agenda constitutes notice that they are available to Board members upon request.

INFORMATION AGENDA

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

NOTE: The following are reports or other documents which, according to the *Regents' Rules* or state law, must be made available to the Board of Regents. As such, the reports below are on file in the Board Office, and their listing on the Information Agenda constitutes notice that they are available to Board members upon request.

- (1) **ASU, TTU and TTUHSC: Summary of Revenues and Expenditures by Budget Category, FY 2014, per Section 01.02.8.d(3)(f), *Regents' Rules*:** All actual expenditures will be reviewed by the Finance and Administration Committee annually and provided as information.

- (a) ASU: Report dated November 30, 2013 for fiscal year 2013 (available for review upon request);
- (b) TTU: Report dated November 30, 2013 for fiscal year 2013 (available for review upon request); and
- (c) TTUHSC: Report dated November 30, 2013 for fiscal year 2013 (available for review upon request).

- (2) **TTUHSC and TTUHSC at El Paso: Contract Renewals per Section 07.12.4.b., *Regents' Rules*:** "Approval of the President is required for all component institution contract renewals or amendments. A list of those renewal contracts in excess of \$500,000 per annum, including the amount of the contract, will be provided to the board as an information item at the next board meeting."

TTUHSC:

- (a) 10189-1C; El Paso County Clinical Services Inc; "HOLDOVER AGREEMENT"; amendment to extend for six months the existing "Amended and Restated Pediatric Specialty Medical Services Agreement"; \$16,751,429.00.
- (b) 10181-2; Covenant Health System; renewal "Hospitalist Agreement" to provide pediatric coverage; \$505,555.80.
- (c) 09163-1; El Paso County Clinical Services Inc; renewal "Trauma Services Agreement", Surgery and Orthopaedic Surgery Departments; \$6,494,492.00.
- (d) 13440-1C; Discovery Medical Network Inc; amendment to "Services Agreement" 1115 Waiver, Assigned Location = Lubbock County Hospital District dba "UMC"; to increase by \$300,000.00; \$22,633,212.00.
- (e) 12281-2; Texas Higher Education Coordinating Board (781); renewal "State Grant Agreement" FY 2014 Family Medicine Residency Program Operational Grant Agreement 12525; \$765,360.00.
- (f) 10195-C; UMC Physician Network Services; amendment to increase by \$4,614.00 the Attachment to Physician Staffing Agreement 00151; Scott Dahlbeck, MD; \$575,607.99.

TTUHSC at El Paso:

- (a) A4016-M; Texas Department of State Health Services; renewal of "Agreement for Psychiatric Medical Services at El Paso Psychiatric Center"; \$881,828.

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

ASU:

- (a) Dr. Brian Van Brunt; \$6,500. Responsible Administrator: Audrey Wilson, Director of Student Services; Selection Process: Audrey attended a two-day training session at TTU with Dr. Van Brunt presenting. Dr. Van Brunt is also the author of the book, "A Faculty Guide to Addressing Disruptive and Dangerous Behavior." Dr. Van Brunt is past president of ACCA and president elect of NaBITA and current president of SCOPE. Purpose: Present information on addressing classroom disruptions and offer individual consultations to attendees. Deliverables: Present information on addressing classroom disruptions and offer individual consultations to attendees. Term of Contract: 01/22/2014 – one day.

TTUHSC:

- (a) A4008-0; Partners in Medical Education Inc; "Consultant Services Agreement"; for TTUHSC-EI Paso campus, RE: Adolescent Psychiatry Fellowship; \$7,100.00.
 (b) PO# 0264343; The Medicus Firm; to recruit Pediatric Otolaryngologist for TTUHSC-EI Paso, Department of Surgery; \$24,999.00.

- (4) **TTU: Report on establishment of new centers and institutes per Section 04.11.2., Regents' Rules:** "The establishment or substantive restructuring of a center, institute, or other academic unit or program not addressed in Section 04.11.1 herein shall be approved by the president, with notice provided to the board via an item in the Information Agenda for the next meeting of the board."

- (a) Cotton Economics Research Institute name change to International Center for Agricultural Competitiveness; College of Agricultural Sciences and Natural Resources; name changed to better reflect the evolving scope of its activities which is broader than cotton. The current director, Dr. Darren Hudson, holds the Larry Combest Chair for Agricultural Competitiveness, and the Institute's name should be consistent with the naming of the chair.

ATTACHMENTS

ATTACHMENT

1

**Summary of substantive revisions proposed to:
Chapter 08 - Facilities
(Item 3, Facilities Committee agenda)**

Summary of substantive revisions proposed to:

Chapter 08 – Facilities

Chapter Coordinator = Michael Molina

[as of: 2-12-2014]

Major construction projects:

- Dollar threshold for new construction projects that require Board approval made the same as the current threshold for repair and renovation projects. [see Sec. 08.01.3 on p. 3 ... and Sec. 08.01.4 on p. 7]
- Codify and enhance the current informal policies and processes regarding pre-approval / pre-construction activities. [see Sec. 08.01.3.a ... p. 3-4]
- Instead of allowing the cost of a major construction project to increase by up to 10% without re-approval by the Board, require any increase in the Board-approved project cost to come back to the Board for re-approval. [see Sec. 08.01.3.g(1) ... p. 6]
- Add a provision to enhance data reporting and collection of projects managed by both FP&C and the institutions. [see Sec. 08.01.4.b ... p. 7]

FP&C fee structure:

- Codify FP&C's project management fee structure in an official policy. [see Sec. 08.01.9 ... p. 9-10]
- Discontinue the 50% fee discount for ASU projects. [see note after Sec. 08.01.9.b ... p. 10]

Public art program:

- Add a requirement that maintenance and conservation work needed for public artwork on an institution's campus be cataloged and prioritized, with the institution reporting annually to the Board and Chancellor on such work that's been done, is in progress, or is planned. [see Sec. 08.02.3.b ... p. 12]

Public Art Committee:

- Clarify that the Chancellor approves the committee members from nominations submitted by the Public Art Committee. [see Sec. 08.02.4.a ... p. 12]
- Provide that the Public Art Committee makes its recommendations about proposed new artwork to the respective President ... and the President makes a recommendation to the Chancellor ... and the Chancellor makes the final decision on whether the proposed new artwork is to be added to the public art collection. [see Sec. 08.02.4.b-d ... p. 13]
- Add guidelines the Public Art Committee is to use in reviewing proposed gifts of public art. [see Sec. 08.02.4.c ... p. 13]

Preservation efforts:

- Include "landmarks" as well as "buildings" for preservation efforts.
- Add a requirement that preservation activities for buildings and landmarks must conform to the institution's Campus Master Plan.

[for both, see Sec. 08.03 ... p. 14]

Building plaques:

- Change from "date of construction contract award" to "date of board approval of the project" for the information that is included on building plaques (e.g., this includes names of the Board officers/members, Chancellor, and President that would go on the plaques). [see Sec. 08.04.2 ... p. 15]

Use of space and facilities:

- Add a new, fifth element to the list of priorities for use of Texas Tech space and facilities that authorizes "other leases" of space or facilities ... and for these "other leases," the use of space or facilities must be in accordance with the operating policies of the institution that owns the space or facilities. [see Sec. 08.07.1.e ... p. 22]
- Revise/replace current provisions governing the use or lease of space or facilities by non-registered student groups or off-campus individuals or organizations. Establish a category of facilities that would be designated as "Community Cultural Facilities" – such as the TTU Museum – that are particularly suited to community outreach for private events ... with the institutions being "authorized and encouraged" to make those facilities available for rent for various events and with the institutions adopting operating policies to govern available times and space for such events, rental fees, event capacity, and the service of food/beverages. [see Sec. 08.07.2 ... p. 22-24]

ATTACHMENT

2

**Chapter 08 – Facilities
Proposed: 02-12-2014
(Item 3, Facilities Committee agenda)**

Chapter 08 – Facilities

Dates Approved or Amended:

-- Comprehensive review/amendments.....

08.00 **Definitions.** For the purposes of this chapter, the following definitions are assigned:

08.00.1 “Facility” or “facilities” shall mean: Any building(s) or structure(s), any improved or unimproved land, or any part of any such building(s), structure(s), or land that is owned, used, or occupied by the TTU system.

08.00.2 “FP&C Office” and “FP&C” shall mean: The Office of Facilities Planning and Construction, a division of the TTU system administration.

08.00.3 “FP&C vice chancellor” shall mean: The vice chancellor of Facilities Planning and Construction.

08.00.4 “University Public Art Committee” or “UPAC” shall mean: The committee that functions as a standing advisory committee to oversee the Public Art Collection and that develops and selects works of art for purchase or commission using funds designated for that purpose by Section 08.02.3, *Regents’ Rules*.

08.00.5 “Public Art Collection” shall mean: All works of art purchased using the funds designated for that purpose by Section 08.02.3, Regents’ Rules, and select public works of art that have been donated specifically to the Public Art Collection or which predate the Public Art program’s care at the time of its inception. Excluded from the Public Art Collection are works of art owned or held by the Museum of Texas Tech University, the National Ranching Heritage Center, and any other institutional galleries or museum entities owned or maintained by the TTU system or funded by means other than the funds designated for that purpose by Section 08.02.3, Regents’ Rules.

08.01 **Construction program**

08.01.1 Construction procurement methods. The TTU system shall use the procurement methods set forth in Chapter 51, *Texas Education Code*, "Construction and Repair of Permanent Improvements" (as amended or modified) for all construction or renovation projects as follows:

- a. [~~competitive bidding~~] Competitive Bidding – per Section 51.778, Texas Education Code;
- b. [~~competitive sealed proposals;~~]
- [e. ~~design-build~~] Design-Build – per Section 51.780, Texas Education Code;
- c. [~~d. construction manager agent (owner’s representative)~~] Construction Manager-Agent – per Section 51.781, Texas Education Code;
- d. [e. ~~construction manager at risk~~] Construction Manager-at-Risk – per Section 51.782, Texas Education Code; [and]

- e. Competitive Sealed Proposals – per Section 51.783, Texas Education Code; and
- f. ~~[job-order contracts]~~ Job Order Contracts for minor construction, repair, rehabilitation, or alterations – per Section 51.784, Texas Education Code.

08.01.2 Authorization. The chancellor or the chancellor’s designated representative, upon the recommendation of the president, is authorized to initiate a construction project, select a design professional, select a construction ~~[manager agent (owner’s representative)]~~ manager-agent, establish a planning budget, develop a schematic design for the project, and select the construction delivery method from Section 08.01.1, *Regents’ Rules*. If appropriate for the construction delivery method selected, the chancellor or the chancellor’s designated representative also may select the project design-build team for design services only or select the project construction manager-at-risk for pre-construction services only.

08.01.3 Major construction projects. Major construction projects include: new construction projects ~~[with a total project budget of \$1,000,000 or more;]~~ and repair and ~~[rehabilitation]~~ renovation projects with a total project budget of \$2,000,000 or more.

[The dollar threshold for new construction projects that require Board approval would be made the same as the current threshold for repair/renovation projects.]

- a. For major construction projects, the chancellor, or the chancellor’s designated representative, upon the recommendation of the president if the project is being constructed for a component institution, shall proceed with the following activities before any project is submitted to the board for approval:

- (1) obtain funding from the entity for which the project is being constructed so that planning activities for the project may begin, with the funding not to exceed \$1,000,000 and with a preliminary estimate of the project budget (a budget goal) being provided along with the funding request;

[FYI – In Chapter 07 (Fiscal Management), the dollar threshold for Board approval of contracts is increased from \$500,000 to \$1.0 million. Accordingly, the amount that a President could approve for pre-construction/pre-Board approval activities for a major construction project also is set at \$1.0 million.]

- (2) work with facility user representatives, as designated by the president if the project is being constructed for a component institution, to develop a preliminary scope of the project, which shall be known as an Owner's Project Requirements (OPR) document;
- (3) retain the services of a design professional to begin preliminary programming based upon the OPR;
- (4) retain the services of a construction or construction estimating firm to develop a preliminary construction and project budget based upon the OPR and preliminary programming; and
- (5) obtain approval from the president and/or chancellor, as appropriate, to submit the project for board approval.

- b. For major construction projects, the chancellor or the chancellor's designated representative, upon the recommendation of the president, shall obtain the approval of the board prior to

proceeding with the following actions as applicable to the project:

- (1) ~~[establish a project budget and]~~ approve a ~~[schematic design]~~ total project budget;
- (2) proceed with design development and construction documents;
- (3) ~~[(2) obtain approval from]~~ submit required reports to the Texas Higher Education Coordinating Board;
- (4) ~~[(3)]~~ solicit and accept construction bids or proposals;
- ~~[(4) select a construction manager agent or general contractor, and select or confirm the previous selection of a construction manager at risk or design-build firm;]~~ and
- (5) award a construction contract or execute a Guaranteed Maximum Price contract amendment.

c. ~~[b-]~~ Board approval: combining steps in the process; dividing projects.

- (1) Any of the steps listed in Section ~~[08.01.3.a]~~ 08.01.3.b may be combined in the board approval process. The board, however, may ~~[-however,]~~ choose to retain control over any or all of the steps listed above in the board approval process.
- (2) Projects shall not be divided for the purpose of falling within a lower level of approval.

~~[e. Major construction projects shall be managed by the Office of Facilities Planning and Construction unless the board approves an exception.]~~

d. The chancellor's designated representative for major construction projects shall be the FP&C Office. All major construction projects shall be managed by the FP&C Office.

e. ~~[d.]~~ The board may choose to employ an outside entity that supplies ~~[Owner's Representative]~~ Construction Manager-Agent Services ~~[(otherwise known as a "Construction Manager-Agent" or a "Construction/Program Manager," as the terms are commonly understood in the construction industry)]~~ to assist the ~~[Office of Facilities Planning and Construction]~~ FP&C Office.

f. ~~[e.]~~ All major construction projects that have a construction cost of more than \$10,000,000 shall be conducted under the auspices of the ~~[Office of Facilities Planning and Construction]~~ FP&C Office but with the assistance of ~~[an Owner's Representative]~~ a Construction Manager-Agent unless the board approves an exception ~~[is approved by the board]~~.

g. ~~[f.]~~ The following changes to a major construction project require re-approval by the board and may require re-submission of a report to the Texas Higher Education Coordinating Board:

- (1) the total cost of a project exceeds ~~[cost estimates by more than 10 percent]~~ the board-approved budget;

[Deletion of "by more than 10 percent" will require any cost increase for a major project to be brought to the Board for re-approval. The policy that a cost increase of 10% or less did not need re-approval by the Board came from a Coordinating Board rule to that effect. With the Coordinating Board no longer approving or re-approving facility projects, it may be time to adjust our internal policy as proposed.]

- (2) ~~[the gross square footage is changed by more than 10 percent]~~ [This also was tied to a former Coordinating Board rule.]

~~(3)~~ the TTU system administration or the component institution has not contracted for the project within 18 months of the date of final approval by the board; or

(3) ~~(4)~~ any funding source of an approved project is changed.

08.01.4 Minor construction projects. Minor construction projects include: new construction projects ~~[with a total project budget less than \$1,000,000;]~~ and repair and ~~[rehabilitation]~~ renovation projects with a total project budget less than \$2,000,000.

[The dollar threshold for new construction projects that do not require Board approval would be made the same as the current threshold for repair/renovation projects.]

- a. The chancellor or the president, as applicable, or their designated representatives, are authorized to proceed with any minor construction project.
- b. The physical plant officers of the component institutions bear responsibility for management of minor construction projects as defined above. The FP&C Office maintains a database of the larger projects managed by the FP&C Office. In order to maintain a more complete database, the physical plant officers, on a quarterly basis, should report the name, projected completion date, general scope and budget of significant new construction and repair and rehabilitation projects under their management for inclusion in the FP&C data base. This provision does not encompass the reporting of routine maintenance activities.

[This provides for more complete data collection on projects managed by both FP&C and the institutions.]

c. ~~[b.]~~ If changes in a minor construction project cause the project budget to fall within the definition of a major construction project, then:

(1) the FP&C Office must be notified as soon as the revised total project cost is identified; and

(2) in accordance with Section 08.01.3, the project must be brought to the board for approval.

08.01.5 Procurement procedures. All major and minor construction projects not classified as emergency actions and construction projects not performed by TTU system personnel will be competitively procured in accordance with the methods set forth in Chapter 51, *Texas Education Code*, (as amended or modified). In addition, all such projects must be procured in accordance with TTU system policies, state purchasing regulations, and other applicable laws.

08.01.6 Contract execution. ~~[All construction contracts will be executed by the chancellor or the president, as applicable, or their designated representatives, as authorized by the board.]~~ The chancellor or the president, as applicable, or their designated representatives, shall execute all construction contracts as authorized by the board.

08.01.7 Emergency actions. If the chancellor, on the recommendation of the president, declares a major construction project to be an emergency, the board authorizes the chair of the board or the chair of the Facilities Committee to approve all necessary actions. Any emergency actions taken must be reported to the board at its next meeting.

08.01.8 Wage rate schedule. As required by Section ~~[2258.021]~~ 2258.022, *Texas Government Code*, (as amended or modified), the TTU system administration will determine the prevailing wage rates for the geographic areas where work is to be performed and include the appropriate schedule of prevailing wages in the specifications for each construction contract.

08.01.9 Project management fee. The FP&C Office shall charge a project management fee for all design and construction initiatives managed by the FP&C Office. This fee shall be used to support all FP&C operations. The fee as assessed will be capitalized in the cost of the project, and the fee amount will be adjusted based upon the actual project cost as determined at project completion.

a. Fee assessment. The amount of the fee for a project shall be determined by the FP&C fee matrix, as follows:

Cost Range: NEW CONSTRUCTION	Dormitories / Garages / Warehouses	Classrooms / Offices / Other	Clinical / Research / Special Education
over \$100 million	2.45%	2.70%	2.95%
over \$50 million	2.70%	2.95%	3.20%
over \$25 million	2.95%	3.20%	3.45%
over \$15 million	3.20%	3.45%	3.70%
over \$10 million	3.45%	3.70%	3.95%
\$2 million to \$10 million	3.70%	3.95%	4.20%

Cost Range: RENOVATION & RENEWAL	Dormitories / Garages / Warehouses	Classrooms / Offices / Other	Clinical / Research / Special Education
over \$100 million	3.03%	3.36%	3.69%
over \$50 million	3.36%	3.69%	4.03%
over \$25 million	3.69%	4.03%	4.36%
over \$15 million	4.03%	4.36%	4.69%
over \$10 million	4.36%	4.69%	5.02%
\$2 million to \$10 million	4.69%	5.02%	5.36%

[Note – With the exception of increasing the lowest range from “\$1 million to \$10 million” to “\$2 million to \$10 million” (due to the threshold revisions in Sec. 08.01.3 and Sec. 08.01.4), the fee matrix shown above is the same as the one the Board approved in May 2002 and that has been in use since.]

b. Collection of fee.

(1) Except for HEAF funds, the fee shall be assessed and collected based upon the following milestones:

<u>Milestone</u>	<u>% of fee to be collected</u>
<u>Board approval.....</u>	<u>50%</u>
<u>Construction contract execution date</u>	<u>30%</u>
<u>Substantial completion date</u>	<u>20%</u>

(2) For HEAF funds, the fee shall be collected concurrently with the HEAF expenditures.

[NOTE: After ASU joined the Texas Tech system in 2007, a 50% fee discount for ASU projects was implemented as a way to ease the transition of that institution into our system. Six years later, it is time for that discount to be discontinued.]

c. Fee administration. The project management fee shall be administered and managed by the FP&C vice chancellor and the vice chancellor and chief financial officer.

08.02 **Campus planning and enhancements**

08.02.1 Campus master plans and accompanying architectural and site design guidelines shall be developed [7] and approved by the board [~~and~~] to guide campus development, unless [~~an exception is approved by~~] the board approves an exception.

a. Architectural and site design guidelines, as developed and approved by the board, shall be adhered to for TTU system campuses.

- b. Unless an exception is granted by the board, the TTU system Campus Master Plans shall guide new construction, new infrastructure, traffic and parking modifications, necessary demolition, ~~[and]~~ enhancement of pedestrian space, and preservation efforts.

08.02.2 The ~~[TTU system]~~ component institutions' *Architectural and Site Design Guidelines*, as modified, shall guide development on all component institution campuses, unless the board grants a specific exception ~~[is granted by the board or a component institution obtains the approval of the board to implement *Architectural and Site Design Guidelines* developed specifically for that institution]~~ for a particular project.

08.02.3 Public Art Program.

- a. The FP&C Office shall manage and be the chancellor's designated representative for the public art program. One percent of the original board approved total project budget of each ~~[new]~~ major construction project, as defined in Section 08.01.3, will be allocated for the acquisition of original works of public art, unless an exception is approved by the board. These works of public art shall be located at or near the site of the construction project or, insofar as is permissible under ~~[the laws]~~ Texas Tech policies and applicable to the source of funds, the funds may be aggregated and expended pursuant to a comprehensive art and aesthetic improvement plan, as approved by the board.

- b. Each fiscal year, the Public Art Manager in the FP&C Office shall prepare a prioritized list of recommended maintenance and conservation actions, both reactive and proactive, to be performed by qualified professionals under the coordination of the Public Art Manager. Each TTU system component institution shall be provided the list, and annually the president of each institution shall report to the board and chancellor the maintenance and conservation work that has been done, is in progress, or is planned.

08.02.4 University Public Art Committee.

- a. The chancellor, in consultation with the presidents, shall ~~appoint~~ approve nominations of members to serve on the University Public Art Committee (“UPAC”) to recommend major public art acquisitions. The nominations provided to the chancellor and presidents shall be submitted by the UPAC. The ~~Public Art Committee~~ UPAC shall be composed of the ~~Vice Chancellor for Facilities Planning and Construction~~ FP&C vice chancellor, the Public Art Manager, students, faculty, and staff of the TTU system, individuals from the communities surrounding the various campuses of the component institutions, and professional artists who are alumni of a component institution of the TTU system. The president of the appropriate component institution shall appoint a representative to the ~~Public Art Committee~~ UPAC for the selection of works of public art for inclusion in a major construction project on a case by case basis.

- b. The ~~[Public Art Committee]~~ UPAC will review all proposed new commissions of campus public art and take into consideration the Campus Master Plan, the cost of installation, ~~[safety and security,]~~ maintenance requirements, and other factors deemed appropriate by the UPAC. The ~~[Public Art Committee]~~ UPAC shall ~~[make]~~ provide a final recommendation to the respective president ~~[chancellor as to a proposed commission's appropriateness]~~ for the inclusion of the artwork in the [TTU system's] Public Art Collection.
- c. Proposed gifts to the public art program must be made in accordance with the respective institution's operating policies and procedures. To qualify for acceptance, such proposed gifts must meet the UPAC's acquisition criteria and standards. The UPAC shall review each proposed gift of public art, and this review shall take into consideration the following factors: the Campus Master Plan; the cost of installation; maintenance requirements; and any other factors deemed appropriate by the UPAC. If the UPAC votes to recommend acceptance of a proposed gift for inclusion in the Public Art Collection, the Public Art Manager shall provide a final recommendation to the respective president regarding the gift's inclusion in the Public Art Collection.
- d. The respective president shall make a recommendation to the chancellor regarding proposed new artwork, and the chancellor shall make the final determination of whether the proposed new artwork is to be included in the Public Art Collection.

- 08.02.5 Landscape Enhancement Program. The FP&C Office shall manage and be the chancellor’s designated representative for the landscape enhancement program. One percent of the original board approved total project budget of each new major construction project will be allocated to the enhancement of exterior landscape, hard-scape, and waterscape features unless an exception is granted by the board. These enhancements shall be located either at or near the site of the construction project or, insofar as is permissible under Texas Tech policies and applicable to the source of funds, the funds may be aggregated and expended pursuant to a comprehensive art and aesthetic improvement plan, as approved by the board.
- 08.02.6 Combining programs. The chancellor or the chancellor’s designated representative may combine the landscape enhancement and public art allocations for a single acquisition when such a combination is appropriate and necessary to meet the unique requirements of a specific project.
- 08.02.7 Private development. Prior approval of the board is required for the private development of TTU system land.
- 08.03 Preservation of [~~Campus~~] campus buildings [~~preservation~~] and landmarks.
The board may provide for the preservation of [~~certain~~] buildings and landmarks because of their historical significance, unique architecture, or other significant reason. Such preservation efforts shall be in accordance with the Campus Master Plan.
- 08.04 **TTU system building cornerstones and plaques**
- 08.04.1 Cornerstones. A cornerstone shall be placed on each new building and each major addition at the time it is constructed. The cornerstone [~~should~~] shall show the year the building was completed and

may contain memorabilia appropriate ~~[to]~~ at the time of ~~[the]~~ construction.

08.04.2 Building plaques. A plaque shall be ~~[placed on]~~ required with each ~~[new building, major addition, and]~~ major ~~[renovation]~~ construction project. The plaque shall show, as of the date of ~~[the construction contract award]~~ board approval of the project, the following:

- a. the name of the building (see Section 08.05, *Regents' Rules*, for further information on naming of buildings and facilities);
- b. the names of the chair, the vice chair, and the other board members serving at that time, arranged in alphabetical order;
- c. the names of those occupying the following positions at that time:
 - (1) the chancellor, and
 - (2) the president of the appropriate component institution.
- d. the design-professional firm;
- e. the general contractor, ~~[the construction manager agent,]~~ the construction manager-at-risk, or the design-build firm; and
- f. the year the construction ~~[contract]~~ project was ~~[awarded]~~ approved.

08.04.3 Recognition plaques. All recognition plaques shall comply with all operating policies governing such plaques that are in effect at the time the plaque is installed.

08.04.4 Building demolition. Upon the demolition of a building, its cornerstone and/or plaque shall be removed and held in the archives of the TTU Southwest Collection or in another appropriate loca-

tion. Upon the construction of a new building on the site of the former building, the cornerstone and/or plaque from the former building shall be placed in an appropriate location inside the new building, along with an appropriate historical notation.

08.05 TTU system buildings and facilities naming

08.05.1 General. The board, upon the recommendation of the president and the chancellor, shall approve the naming of all buildings, auditoriums, rooms, laboratories, streets, athletic fields, landscape features, and other facilities within the TTU system. All new buildings should be named, wherever practicable, at the time the board approves the project.

[This sentence moved to here from Sec. 08.05.1.b since it is intended to apply to more than just academic buildings.]

a. An individual, foundation, or corporation providing funding to build new facilities, to renovate or expand existing facilities, or to provide an endowment for the support of a facility or facility-based program of the TTU system may have an area named after the donor provided 50% of the cost of the designated area and/or equipment therein is contributed by the donor. For new construction, renovation or expansion, the 50% threshold applies to the estimated construction cost as verified by the vice chancellor for facilities planning and construction and approved by the board. The estimated construction costs shall be comprised of site preparation, building foundations, the building envelope, interior finishes, and the mechanical / electrical / plumbing infrastructure within five feet of the building footprint. Estimated construction costs shall exclude building demolition. To name an existing facility, the 50% threshold applies to the estimated replacement cost of construction of the facility to be named, as verified by the vice chancellor for facilities planning and construction.

b. Academic buildings shall be named ~~[on the basis of]~~ based on the major academic use of the building. ~~[All new buildings should be named, wherever practicable, by the time the board approves the project.]~~

[This sentence moved to the last sentence of the first paragraph of Sec. 08.05.1, as it applies to all buildings, not just academic buildings.]

- c. Residence halls may be named for a person, provided the individual is not a faculty member, administrator, or other employee or state officer who is actively affiliated with the TTU system at the time the building is named.
- d. Subunits of buildings (auditoriums, offices, reading rooms, libraries, conference rooms, laboratories, and so forth) may be named after an individual who, as an employee, has provided exemplary service to the TTU system or who, as a volunteer, has avidly pursued a program of excellence for a department, school, or college or for the TTU system, the State of Texas, or the United States of America.
- e. Streets and designated landscape features may be named after individuals or groups of individuals who have brought honor and distinction to the institution.
- f. Athletic, recreational, and other auxiliary enterprise facilities or areas may be named after a donor(s) or family who wish to donate a gift equal to a minimum of 50% of the estimated construction cost of the facility or area, as verified by the vice chancellor for facilities planning and construction.
- g. All donor recognition within a facility requires a gift that is made at a minimum \$10,000 level.
- h. Perimeter campus monument, directional and/or building signage shall comply with respective campus operating policies related to signage. ~~[Variances]~~ Any proposed variances to these standards shall be approved by the chancellor and approved by the board.

08.05.2 Naming restrictions.

- a. In no case shall a campus site, structure, or facility bear the name of more than two individuals, one foundation, or one corporation.

- b. No more than one professional title may be included in a naming, and no individual's name may include student organization names or class years in the naming of an area.
- c. A gift originally intended to fund a specific facility that the TTU system is no longer planning to construct, expand or renovate may be used or applied to a naming of an alternate facility as approved by the chancellor, with prior notification to the board.
- d. Spendable earnings of endowments or any other internal funds may not be utilized or transferred to meet the criteria for a naming unless approved by the chancellor, with prior notification to the board.
- e. Prior to the presentation of any gift agreement to a donor, the [proposed naming, which must be in accordance with the naming provisions of the Regents' Rules](#), must be approved by the chancellor or the chancellor's designee.

- 08.05.3 Name changes. The board, upon the recommendation of the president and the chancellor, shall approve any change in the name of existing or planned facilities.
- 08.05.4 Removal of a naming. In unusual and unforeseen circumstances, the board reserves the right to remove a previously-approved naming of a facility.
- 08.05.5 Board advance notification. The chancellor shall provide advance notice to the chair and vice chair of any proposed naming associated with a gift to the Texas Tech Foundation, Inc.
- 08.05.6 Board approval. All namings and name changes requiring the approval of the board must receive approval from the board before the naming or name change can be announced.
- 08.05.7 Exceptions. ~~[Exceptions to the above sections may be made by the board.]~~ [The board may make exceptions to any of the naming provisions in Section 08.05.](#)

08.06 **Construction code and standard requirements.** All [~~construction/renovation projects~~] design, materials, and construction shall conform [~~to~~] with the applicable requirements of the most current [~~edition-of~~] editions adopted by the local municipalities in whose jurisdiction the project is located and/or as determined by project requirements (unless otherwise noted), including but not limited to the following [~~codes~~] published documents:

08.06.1 Adopted codes and standards:

- a. International Building Code (IBC);
- b. International Energy Conservation Code (IECC);
- c. International Fire Code (IFC);
- d. International Plumbing Code (IPC);
- e. International Electrical Code Administration Provisions (IECAP);
- f. NFPA 101, Life Safety Code (including references to the National Electrical Code) — editions adopted by the State Fire Marshal's Office;
- g. National Fire Protection Association (NFPA) Codes and Standards — editions adopted by the State Fire Marshal's Office;
- h. State Fire Marshall's Office (SFMO);
- i. ANSI/ASME A17.1 – Safety Code for Elevators and Escalators — edition adopted by the Texas Department of Licensing and Regulation (TDLR);
- j. [~~is~~] ANSI Z136.1 Standards for Safe Use of Lasers;

- ~~k. [j: State Insurance Board requirements governing fire suppression systems]~~ [Factory Mutual Global or current insurance carrier](#);
- ~~l. [k:]~~ United States Environmental Protection Agency ([EPA](#)) regulations;
- ~~m. [l:]~~ ASHRAE Standard 90A, B, &C – Energy Conservation in New Building Design;
- ~~n. [m:]~~ ASHRAE Standard 62 – Ventilation for Acceptable Indoor Air Quality;
- ~~o. [n:]~~ United States Department of Health, Public Health Service regulations and guidelines;
- ~~p. [o:]~~ State statutes regulating, but not limited to, the following;
- (1) asbestos;
 - (2) boilers;
 - (3) control of radiation;
 - (4) energy consumption;
 - (5) fire escapes;
 - (6) fire alarms;
 - (7) plumbing fixtures; and
 - (8) elevators.
- ~~q. [p: Texas Accessibility Standards of the Architectural Barriers Act, Article 9102, Texas Civil Statutes (as amended)]~~ [Elimination of Architectural Barriers – Chapter 469, Texas Government Code](#);

- r. ~~[¶]~~ Americans with Disabilities Act (ADA) – Accessibility Guidelines for Buildings and Facilities (as amended); ~~[and]~~
- s. ~~[¶]~~ United States Department of Labor Occupational Safety and Health Administration (OSHA) regulations;
- t. Texas Commission on Environmental Quality (TCEQ);
- u. State Energy Conservation Office (SECO);
- v. operating policies and procedures of the TTU system component institutions;
- w. Biosafety in Microbiological and Biomedical Laboratories (BMBL), HHS Publication No. (CDC) 21-112; and
- x. TTU system design and construction standards, including but not limited to the TTU system architectural and site design guidelines per Sections 08.02.1 and 08.02.2, Regents' Rules.

08.06.2 Other applicable codes. Any other applicable codes deemed necessary by the project's nature shall be specified during the design process.

08.07 TTU system space and facilities use

- 08.07.1 Prioritization. With the exception of free expression activities as outlined in the component institutions' policies, TTU system space and facilities are available according to the following priorities:
- a. regular institutional programs;
 - b. programs sponsored and conducted by the TTU system and/or a component institution's academic and administrative departments or organizations which are affiliated with such departments;
 - c. activities that have as their purpose service or benefit to the TTU system community and that are sponsored by a registered student organization; ~~[and]~~

- d. lease of space or facilities to organizations that serve or benefit the academic, research, student life, or business functions of the TTU system; and
- e. other lease of space or facilities to individuals or organizations in accordance with the institution’s operating policies.

↑↑↑ The change above adds a new, fifth element to the list of priorities for use of space or facilities that authorizes “other leases” of space or facilities as governed by institutional operating policies.

↓↓↓ The related changes below supplement the new Subdivision “e” immediately above and revise/replace current provisions governing the use or lease of space or facilities by non-registered student groups or off-campus individuals or organizations.

08.07.2 ~~[Non-registered student groups or off-campus groups or organizations. TTU system space and facilities are only available for use by non-registered student groups or off-campus groups or organizations as set forth in the component institution’s policies.]~~

Each component institution may designate certain facilities containing space particularly amenable to community outreach for private events as “Community Cultural Facilities.” Examples of Community Cultural Facilities include, but are not limited to, the Museum of Texas Tech University, TTU’s National Ranching Heritage Center, TTU’s International Cultural Center, and some athletic facilities.

- a. Guidelines for rental and use of facilities designated as Community Cultural Facilities include:
 - (1) The component institutions are authorized and encouraged to make Community Cultural Facilities available

for rental by individuals or groups for the following types of events:

(a) private events (such as weddings, wedding receptions, anniversaries, birthday parties, business receptions, and similar events); and

(b) functions for local entities designated as charitable organizations under IRC Section 501(c), including fund raising events for such organizations.

(2) Community Cultural Facilities may not be rented or used for political activities or free expression activities. Free expression activities are governed by institutional policies.

b. The component institutions, with input from the directors of the respective Community Cultural Facilities, shall promulgate policies and procedures for the rental and use of each Community Cultural Facility that are consistent with good stewardship of the facility in keeping with the mission of the institution's department with regards to the following:

(1) available times and space for events;

(2) rental fees, which must be at fair market value based on the nature of the event;

(3) event capacity; and

(4) service of food and/or alcoholic beverages.

~~[08.07.3—Attendance by off-campus groups at sponsored events. Off-campus persons may attend functions on TTU system property, but such functions must be sponsored by and be affiliated with a TTU system department or registered student organization.~~

~~08.07.4—Off-campus group guidelines. A department or registered student organization may not gain permission to use space or facilities on campus and then permit the space or facilities to be utilized by any other person, organization, or off-campus group. The penalty for violation of this provision may include forfeiture of the privilege of using TTU system space or facilities for a period of time not to exceed one year.]~~

08.07.3 [08.07.5] Non-profit organizations. Office space and other assistance including, but not limited to, utilities, telephone service, custodial service, maintenance and use of the component institution's services may be provided to non-profit organizations that exist for the purpose of supporting the educational undertaking of the TTU system or its component institutions, thereby serving a public purpose, provided the provision of such space and assistance is not otherwise prohibited by law. Organizations authorized for this support include, but are not limited to:

- a. ~~[West Texas]~~ Museum of Texas Tech University Association;
- b. National Ranching Heritage Association;
- c. Texas Tech Alumni Association;
- d. Texas Tech Association of Parents;
- e. Texas Tech Foundation;
- f. Texas Tech University Federal Credit Union;
- g. Texas Tech Physicians Association;
- h. Angelo State University Foundation;
- i. Carr Scholarship Foundation;

- j. ASU Alumni Association;
- k. Angelo State Athletic Foundation;
- l. Houston Harte Foundation;
- m. ASU Friends of Art and Music Education;
- n. Friends of the Porter Henderson Library & West Texas Collection;
- o. College of Professional Studies Foundation in Excellence; and
- p. other organizations approved by the component institution's president.

08.07.4 ~~[08.07.6]~~ Department of Athletics facilities — TTU and ASU.

- a. The playing ~~[field at TTU—Jones AT&T Stadium, Dan Law baseball field, R. P. Fuller track facilities, Don and Ethel McLeod Tennis Center, Rocky Johnson Field;]~~ fields and other facilities under the control of the ~~[Department]~~ TTU and ASU Departments of Athletics are available for the following uses:

- (1) Department of Athletics events;
- (2) TTU ~~[Band]~~ and ASU band and spirit activities;
- (3) High School Band Day and band competitions;
- (4) High school athletic events;
- (5) physical education classes;
- (6) intramural playoffs between leagues;
- (7) academic convocations of the TTU system;
- (8) ~~[special]~~ Special Olympics, ~~[para-Olympics]~~ Para-Olympics, and similar events; and

- (9) charitable and other events, as approved by the president.
- b. Expenses incurred. Responsibility for expenses incurred for cleaning, provision for security officers, and any other expenses will be mutually determined by the director of intercollegiate athletics and the sponsor of the activity proposing to use the facility.
- c. Approved use. The director of intercollegiate ~~[athletic]~~ athletics is responsible for determining whether use of the athletics facilities falls within the scope of the above policy

08.08 **On-campus speakers**

~~[08.08.1—Freedoms. No individual or group shall be denied the right to speak within the physical confines of the TTU system on the basis of the views sought to be expressed by the speaker.]~~

[↑↓ the order in which these two sections appear are switched ... 08.08.1 becomes 08.08.2]

08.08.1 ~~[08.08.2]~~ Operating policies. Each component institution of the TTU system shall develop operating policies necessary for the administration of free speech activities, including placing reasonable restrictions upon the time, place, and manner of on-campus speech.

08.08.2 ~~[08.08.1]~~ Freedoms. No individual or group shall be denied the right to speak within the physical confines of the TTU system solely on the basis of the views sought to be expressed by the speaker.

08.09 **Handbills, leaflets, and advertising material distribution**

08.09.1 Implementation policies. The operating manuals of each component institution shall contain such policies that may be necessary to implement the purpose of this policy or to otherwise provide for the orderly conduct of the academic institution.

[this section moved from last to first ... was Sec. 08.09.6]

08.09.2 ~~[08.09.1]~~ General. Individuals and organizations, other than students, faculty, staff and organizations consisting solely of members of one or more of these classes of individuals, may not distribute handbills, leaflets or any other form of advertising media on campus. ~~[-except that free]~~ Free expression materials may be distributed ~~[in designated forum areas]~~ in accordance with the component institution's policies.

08.09.3 ~~[08.09.2]~~ Advertising. The distribution of advertising materials by individuals and organizations, other than students, faculty, staff and organizations consisting solely of members of one or more of these classes of individuals, is not permitted on TTU system property, even if conducted through student representatives, except as may be allowed by the advertising policies of the component institution's publications, such as authorized student newspapers and year books, or the Department of Intercollegiate Athletics.

08.09.4 ~~[08.09.3]~~ United States mail. Individuals and organizations herein before described may make advertising media available to students, faculty and staff by utilizing the United States mail.

08.09.5 ~~[08.09.4]~~ On-campus distribution. Students, faculty, staff, and organizations consisting solely of members of one or more of these classes of individuals may distribute advertising media on campus, subject to the following:

- a. The material is not in contravention of a published component institution's policy or a state or federal law; and
- b. The information presented is accurate.

[08.09.6](#) ~~[08.09.5]~~ Automobiles. Media otherwise permissible under this policy that is to be distributed by an individual or group otherwise authorized under this policy may not be distributed by placement on or around automobiles parked or in motion in the physical confine of the TTU system.

~~[08.09.6—Implementation policies. The operating manuals of each component institution shall contain such policies that may be necessary to implement the purpose of this policy or to otherwise provide for the orderly conduct of the academic institution.]~~

[this section moved from last to first ... now is Sec. 08.09.1]

08.10 Solicitations

[08.10.1](#) Policy administration. The operating policies of each component institution shall contain such policies and procedures as may be necessary for the administration of this policy.

[this section moved from last to first ... was Sec. 08.10.8]

[08.10.2](#) ~~[08.10.1]~~ Definition. "Solicitation" for the purposes of this policy is defined as requesting money, seeking a pledge or agreement to pay, taking subscriptions, or selling merchandise, tickets, or future interests.

[08.10.3](#) ~~[08.10.2]~~ Approved organizations. On-campus solicitations may be conducted only by students, faculty, staff or student organizations as demonstrated by a current and valid student or faculty/staff identification card and only as consistent with the operating policies of the component institution.

[08.10.4](#) ~~[08.10.3]~~ Solicitation exception. No solicitation is permitted within the TTU system buildings except as consistent with the component institution's operating policies.

[08.10.5](#) ~~[08.10.4]~~ Individual buildings. Solicitations in a component institution's student union or student center facility must be conducted under the terms and conditions established by the institutional office charged with administration of that facility. The terms and conditions shall give weight to these criteria: compatibility of the

solicitation activity with the educational purpose of the institution; compatibility of the solicitation activity with the orderly operation of the student union/center facility; and the availability of space.

[08.10.6](#) ~~[08.10.5]~~ Residence halls. Solicitations in the residence halls must be conducted entirely from within the student's room or in an assigned public area. Solicitations within the student rooms require the consent of the roommate(s), and there may be no parties or group demonstrations to advertise a product. There can be no advertising on room doors or within the residence halls. Application for permission for solicitation privileges in the residence halls should be referred to the Director of Housing and Residence Life.

[08.10.7](#) ~~[08.10.6]~~ On-campus solicitations by organizations not associated with the TTU system. An on-campus solicitation may be made by an organization not associated with the TTU system if the organization is sponsored by a registered student organization and if the solicitations are for a community-wide benefit, such as a symphony, or for recognized and established charitable purposes.

[08.10.8](#) ~~[08.10.7]~~ Further guidelines. This policy does not apply to:

- a. The canvassing of their own membership by campus organizations in money-raising projects or in the sale of tickets to programs sponsored by them to their own membership is recognized as a permissible privilege which does not require approval through the procedures established in the policy. If the request for money is made to persons other than members of the organization, such as the sale of tickets at the door to the general public, the entire solicitation is not exempted and is subject to approval as a solicitations project;
- b. Solicitations are permitted through such public agencies as the United States Postal Service and advertisements in local newspapers, which include any authorized student newspapers, are not within the jurisdiction of this policy;
- c. Occasionally departments of the component institutions of the TTU system may wish to sponsor activities that have an educational value for students at the institution. Such activities by such departments should be approved by appropriate authorities of the component institution; and

- d. Solicitations by the Texas Tech Alumni Association within the Merket Alumni Center, the Texas Tech Museum, the ASU Alumni Association within the LeGrand Alumni and Visitors Center, and contract vending machines.

~~[08.10.8—Policy administration. The operating policies of each component institution shall contain such policies and procedures as may be necessary for the administration of this policy.]~~

[this section moved from last to first ... now is Sec. 08.10.1]

08.11 Solicitations and sale of publications

- 08.11.1 TTU system benefit. Solicitations for and sale of publications shall be conducted only to produce a direct and real benefit to the TTU system in fulfilling its primary educational mission.
- 08.11.2 Money raised. If the principal purpose of the solicitation project is to raise money, then the proposed use for the money so raised must be identified and the benefit to the educational, intellectual or cultural growth or development of the TTU system or its faculty, staff, or students specified.
- 08.11.3 Solicitations other than to raise money. Where the principal purpose of the solicitation is other than to raise money, a determination will be made as to whether the solicitation project will be approved based on the contribution of the project to the educational, intellectual, or cultural growth or development of the TTU system, its faculty, staff, or students.

ATTACHMENT

3

**Summary of substantive revisions proposed to:
Chapter 07 – Fiscal Management
(Item 1, Finance and Administration Committee agenda)**

Summary of substantive revisions proposed to:
Chapter 07 – Fiscal Management

Chapter Coordinator = Jim Brunjes

[as of: 02-19-2014]

INTRODUCTORY NOTE:

Where needed, references to the Texas Tech University Health Sciences Center at El Paso are added, since the El Paso campus now is a stand-alone institution.

Substantive revisions include the following:

Increase in the dollar threshold above which Board approval is required:

- For budget item/adjustment approvals ... the threshold is increased from \$500,000 to \$1.0 million so that:
 - in excess of \$1.0 million = Board approves [[see Sec. 07.04.4.a on p. 14](#)]
 - \$1.0 million or less = Chancellor or President approves [[see Sec. 07.04.4.b on p. 14-15 and Sec. 07.04.4.c on p. 15-16](#)]
- For contract approvals ... the threshold is increased from \$500,000 to \$1.0 million so that:
 - in excess of \$1.0 million = Board approves [[see Sec. 07.12.2.a on p. 33](#)]
 - \$1.0 million or less = Chancellor or President approves [[see Sec. 07.12.3 and Sec. 07.12.4 on p. 42](#)]

Debt management policy:

- Language is added to ensure that the Board must approve any and all use of debt. [[see Sec. 07.05.1.a on p. 18](#)]
- A reference to a statutory exception is added regarding long-term debt issuances that are not reviewed and approved by the Texas Bond Review Board. [[see Sec. 07.05.2.b\(7\) on p. 20](#)]
- A provision is added that requires Texas Tech's Office of Treasury and Cash Management to have procedures in place to ensure that interest earned by holders of Texas Tech's tax-exempt debt does not become taxable. [[see Sec. 07.05.6 on p. 24](#)]

Contracting in general:

- A clarification is added that, for the purpose of determining whether Board approval of a contract is required, options to extend a contract are counted in the overall term of the contract. [[see Sec. 07.12.1.d\(1\) on p. 31-32](#)]

Emergency approval of contracts:

- The potential that a "walking quorum" could be used is deleted from the provision that governs emergency approval of contracts. [[see Sec. 07.12.2.h on p. 41](#)]

Consulting contracts:

- Currently, Board approval is required for consulting contracts that cost more than \$25,000. There are occasions, though, when the initial intention is to pay a consultant more than \$25,000, but the consultant needs to start work prior to the date of a Board meeting at which Board approval can be granted. An informal process that's been used in these situations is codified within Chapter 07 whereby an "over \$25,000" consultant can begin work prior to Board approval **if**:
 - the contract includes a provision that limits the amount the consultant can be paid to no more than \$25,000 unless and until the Board has approved the contract; and
 - the Board chair and the Finance & Administration Committee chair authorize the use of this process in advance.
- [see Sec. 07.12.2.d(1)(b) on p. 34]
- Search firms would be deemed to be service providers and not consultants ... and thus are not be subject to the consulting contract approval requirements.
- [see Sec. 07.12.2.d(3) on p. 35]

Employment agreements:

- A new general provision that governs the approval of employment agreements is established. [see Sec. 07.12.2.f on p. 38-40]
- Unless a specific exemption is provided, all employment agreements are subject to certain thresholds, above which Board approval is required. The thresholds include:
 - total compensation over the entire term of the agreement exceeds \$1.0 million;
 - term of the agreement is longer than 4 years; or
 - certain other factors, any of which would trigger a requirement for Board approval.
- [see Sec. 07.12.2.f(2) on p. 38]
- Exceptions that have special approval provisions include:
 - Chancellor and President contracts ... which will continue to be governed by their current provisions in Chapter 02. [see Sec. 07.12.2.f(3)(a) on p. 39]
 - Employment contracts for athletics directors and coaches ... with higher thresholds set for athletics directors and head coaches than for assistant coaches (with the current provisions and thresholds for assistant coach contracts kept as-is). [see Sec. 07.12.2.f(3)(b) on p. 39-40]
 - Health-related institution faculty employment contracts ... Current policy delegates to the President the authority to approve all such contracts. It is proposed that this special provision be modified so that health-related faculty contracts would be governed by the general policy for employment contract approvals ... but:
 - for determining whether the faculty member's compensation exceeds the dollar threshold that triggers Board approval, only the faculty member's compensation that is paid from state funds would be counted; and
 - a process for quick Board approval (by the Board chair or the chair of the Finance & Administration Committee) is available when needed.
- [see former Sec. 07.12.2.f(3)(c) on p. 40]
- The summary table for contract approvals is supplemented with a new Appendix A [see p. 47] that provides a more detailed and "plain English" explanation of the provisions that govern the approval of employment agreements.

ATTACHMENT

4

Chapter 07 – Fiscal Management
Proposed: 02-19-2014
(Item 1, Finance and Administration Committee agenda)

Chapter 07 -- Fiscal Management

Dates Approved or Amended:

-- Comprehensive review/amendments.....

[NOTE: Throughout Chapter 07, the words "will" and "should" are replaced with "shall" where the context of the usage is appropriate. The word "should" is permissive, while "shall" is mandatory and a more definitive descriptor than "will."]

07.00 **Definitions.**

07.00.1 "FDIC" means the Federal Deposit Insurance Corporation.

07.00.2 [~~"TPSS" means the Texas Procurement and Support Services of the State of Texas.~~]

~~[07.00.3]~~ "HEAF" means Higher Education Assistance Funds.

07.00.3 ~~[07.00.4]~~ "HUBs" means Historically Underutilized Businesses.

07.00.4 ~~[07.00.5]~~ "OAS" means the Office of Audit Services.

07.00.5 ~~[07.00.6]~~ "RFS" means the Revenue Financing System.

07.00.6 ~~[07.00.7]~~ "CAE" means the Chief Audit Executive.

07.01 **Fiduciary responsibility.** The board and the principal officers of the TTU system have the responsibilities of a fiduciary in the administration of all funds subject to the control and management of the TTU system.

07.02 **Audits.**

[NOTE: Kim Turner coordinated the review of this section.]

07.02.1 Mission statement. The Office of Audit Services (OAS) is to assist the board and other units of the TTU system in identifying, avoiding, and mitigating risks.

07.02.2 Objectives. The OAS shall:

- a. provide independent, objective assurance and consulting services designed to add value and improve the operations of the TTU system; and
- b. assist the TTU system in accomplishing its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

07.02.3 Standards of audit practice. The OAS ~~will~~ shall comply with generally accepted government auditing standards, the international standards for the professional practice of internal auditing, and the code of ethics promulgated by The Institute of Internal Auditors.

07.02.4 Organizational responsibility and reporting relationships.

- a. The OAS is established by the board in accordance with the Texas Internal Auditing Act (“the Act”). The board, through the Audit Committee, is responsible for the employment, compensation, and dismissal of a Chief Audit Executive (the “CAE”) to manage the affairs of the OAS. The chancellor has the authority to make recommendations to the Audit Committee on the employment and dismissal of the CAE. The CAE reports functionally to the board through the Audit Committee and administratively to the chancellor. Administrative reporting to the chancellor facilitates the day-to-day operations of the OAS and includes:
 - (1) approval of travel or other expenses;
 - (2) human resource administration, including compensation and evaluation of OAS staff members other than the CAE; and
 - (3) other functions as may be delegated to the chancellor by the Audit Committee.
- b. Annually, the Audit Committee ~~will~~ shall evaluate the performance of the CAE.

07.02.5 Independence. To ensure independence and objectivity, OAS reports to the board through the Audit Committee. Additionally, the staff of OAS has no direct responsibility or authority for activities or operations that may be audited or reviewed. Auditors do not develop and install procedures, prepare records, make management decisions, or engage in any other activity that could be reasonably construed to compromise their independence. Auditors are not, however, precluded from making recommendations and suggestions for the improvement of [governance, risk management, and internal ~~controls~~ control processes ~~or operating policies and procedures~~](#). An audit or review does not substitute for or relieve other TTU system personnel of their assigned responsibilities.

07.02.6 Scope of work. The comprehensive scope of work of the OAS is to determine if the TTU system's network of risk management, control, and governance processes is functioning in a manner that will enable goals and objectives of the TTU system to be met. Specifically, the scope of work ~~should~~ [shall](#) provide reasonable assurance that such processes are designed and operating in a manner to ensure:

- a. risks are effectively identified and managed;
- b. the system of internal control is adequate, effective, and efficient;
- c. organizational performance management and accountability systems are effective;
- d. the governance process facilitates organizational effectiveness, appropriate communications, and promotion of ethics and values;

- e. financial, managerial, and operating information is accurate, reliable, and timely;
- f. employees' actions are in compliance with policies, standards, procedures, and applicable statutes and regulations;
- g. resources are acquired economically, used efficiently, and adequately protected;
- h. programs, plans, and objectives are achieved; and
- i. systems are designed and implemented with proper control structures.

07.02.7 Accountability and responsibility. The CAE, in the discharge of his or her duties, shall be responsible and accountable to the board through the Audit Committee to:

- a. develop a flexible annual audit plan using appropriate risk-based methodology and submit the plan to the board through the Audit Committee for review and approval; the CAE shall consider for inclusion in the plan any risks or control concerns identified by management, and consider the scope of work of external auditors and regulators, as appropriate, for the purpose of providing optimal audit coverage to the TTU system at a reasonable overall cost;
- b. [oversee the execution of the annual audit plan](#);
- c. ~~b.~~ report significant issues related to the risk management, control, and governance processes of the TTU system, including potential improvements to those processes, and provide information concerning the resolution of such issues;
- d. ~~e.~~ report annually to the board, the chancellor, the governor, and state agencies, as required by the Act, on the activities of the OAS;
- e. ~~d.~~ provide information periodically on the status and results of the annual audit plan and the sufficiency of department re-

sources, including OAS personnel, to address identified risks within a reasonable time frame;

f. ~~[e.]~~ coordinate with other control and monitoring functions (including, but not limited to, the Office of the General Counsel, the police departments of the component institutions, the ~~[state auditor's office]~~ [State Auditor's Office](#), and external auditors) [to maximize the efficient and effective use of audit resources](#);

g. ~~[f.]~~ maintain a professional audit staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of the audit mission and objectives;

h. ~~[g.]~~ establish a quality assurance and improvement program to ensure compliance [with professional standards](#), consistency, and quality in OAS operations;

i. ~~[h.]~~ consider performing advisory services to assist management in meeting its objectives, examples of which may include facilitation, process design, training, and other advisory services;

j. ~~[i.]~~ evaluate significant new or changing services, processes, operations, systems, and control processes coincident with their development, implementation, and/or expansion;

k. ~~[j.]~~ report to the Audit Committee when the CAE has reason to believe that senior management has accepted a level of residual risk that may be unacceptable;

l. ~~[k.]~~ keep the Audit Committee informed of emerging trends and successful practices in internal auditing;

m. ~~[l.]~~ assist in the investigation of suspected fraudulent activities within the TTU system and keep appropriate management, the chancellor, and the board, through the Audit Committee, informed of such investigations; and

n. ~~[m.]~~ coordinate any external audit or investigative effort performed by certified public accountants, the state auditor's office, or other auditors; this coordination may include scheduling of entrance and exit conferences, assisting with fieldwork, and/or reviewing management responses to findings and recommendations of the external auditors.

07.02.8 Authority.

- a. The CAE and staff of the OAS are authorized to:
 - (1) have full, free, unrestricted access to all functions, manual and electronic records (including student, personnel, and medical records), property, and personnel relevant to any audit or review; documents and information entrusted to auditors during the course of an engagement ~~[will]~~ shall be handled in a prudent manner;
 - (2) have full and free access to the board through the Audit Committee and to the chancellor;
 - (3) allocate resources, set frequency and duration of audits, select subjects, determine scopes of work, and apply the techniques required to accomplish audit objectives; and
 - (4) obtain the necessary assistance of personnel in units of the TTU system where the OAS performs audits, as well as other specialized services from within or outside the TTU system.
- b. The CAE and staff of the OAS are not authorized to:
 - (1) perform any operational duties for the TTU system;
 - (2) initiate or approve accounting or other transactions external to the OAS; or
 - (3) direct the activities of any TTU system employee not employed by the OAS, except to the extent such employ-

ees have been appropriately assigned to auditing teams or to otherwise assist the auditors.

07.03 **Fraud policy.**

[NOTE: Kim Turner coordinated the review of this section.]

The TTU system is committed to the highest standards of moral and ethical behavior. These standards and the subject of appropriate behavior are outlined in the operating ~~[manuals]~~ policies of the component institutions and in various TTU system and board policies, which ~~[should]~~ shall be observed by all TTU system students and employees.

The purpose of this policy is to address fraudulent acts. Fraudulent activity of any kind, including for the benefit of the TTU system, is expressly prohibited. This policy establishes the procedures and responsibilities for reporting and resolving instances of known or suspected fraudulent acts. For purposes of this policy, fraud is defined as follows:

An intentional perversion of truth for the purpose of inducing another in reliance upon it to part with some valuable thing belonging to him or to surrender a legal right. A false representation of a matter of fact, whether by words or by conduct, by false or misleading allegations, or by concealment of that which should have been disclosed, which deceives and is intended to deceive another so that he shall act upon it to his legal injury. Any kind of artifice employed by one person to deceive another.

- 07.03.1 For purposes of this policy, the definition of fraud as per the above shall include, but not be limited to, the following:
- a. an intentional or deliberate act;
 - b. depriving the TTU system or a person of something of value or gaining an unfair benefit; and
 - c. using deception, false suggestions, suppression of truth, or other unfair means which are believed and relied upon.

- 07.03.2 A fraudulent act may be an illegal, unethical, improper, or dishonest act, including but not limited to:
- a. embezzlement;
 - b. misappropriation, misapplication, destruction, removal, or concealment of property;
 - c. alteration or falsification of ~~documents~~ [records or other documentation](#);
 - d. false claims by students, employees, vendors, or others associated with the TTU system;
 - e. theft of any asset including, but not limited to, money, tangible property, trade secrets, or intellectual property;
 - f. inappropriate use of computer systems, including hacking and software piracy;
 - g. bribery, rebate, or kickback;
 - h. conflict of interest; or
 - i. misrepresentation of facts.
- 07.03.3 Fraudulent act determination. While a fraudulent act may have criminal and/or civil law consequences, the TTU system is not required to use a determination by a criminal justice authority to criminally prosecute as the basis for determining whether an act is fraudulent. It is the internal determination that the above criteria are present that defines an act as fraudulent under this policy.
- 07.03.4 Duties and responsibilities. Administrators at all levels of management are accountable for setting the appropriate tone of intolerance for fraudulent acts by strictly displaying the proper attitude toward complying with laws, rules, regulations, and policies, including ethics policies. In addition, administrators ~~should~~ [shall](#) be cognizant of the risks and exposures inherent in their area of responsibility, and ~~should~~ [shall](#) establish and maintain proper internal controls which

will provide for the security and accountability of the resources entrusted to them.

Any member of the campus community who has a reasonable basis for believing a fraudulent act has occurred has a responsibility to promptly notify one of the following:

- a. his or her supervisor;
- b. the appropriate administrator;
- c. the OAS; or
- d. the component institution's police department.

Employees who, in good faith, report unlawful activity are protected by the Texas Whistleblower Act against any retaliation by the TTU system for making such a report. The reporting member of the campus community shall refrain from confrontation of the suspect, further examination of the incident, or further discussion of the incident with anyone other than the employee's or student's supervisor or others involved in the resulting review or investigation. Persons found to be making frivolous claims under this policy ~~will~~ shall be disciplined, up to and including termination of employment or expulsion from the TTU system.

- 07.03.5 Investigation. Supervisors and administrators at all levels of management who become aware of suspected fraudulent activity are to respond in a consistent and appropriate manner and shall report the suspected activity to the OAS. With the concurrence of the CAE, the supervisor or administrator may treat the incident as an administrative issue and have a qualified individual or individuals perform an objective review as considered necessary.

The OAS has the primary obligation for investigating reported incidents to the extent considered necessary for resolution. The OAS may contact other TTU system departments, including, but not limited to, the Office of General Counsel and the component institution's police department, to establish the necessary team to proceed with the review or investigation. The investigative team ~~will~~ shall attempt to keep source information as confidential as possible. In

those instances where the investigation indicates criminal activity, the investigation shall be turned over to the component institution's police department or other appropriate law enforcement agency. As required by law, the OAS ~~will~~ shall notify the state auditor's office of suspected fraudulent activity.

All affected departments and/or individuals shall cooperate fully with those performing a review or investigation, including the OAS, law enforcement officials, regulators, and any other parties involved. During all aspects of the review or investigation, the constitutional rights of all persons ~~will~~ shall be observed. Suspects and others involved in the review or investigation shall be treated consistently without regard to past performance, position held, length of service, race, color, religion, sex, age, disability, national origin, or veteran status.

07.03.6 Disciplinary actions.

- a. Employees found to have participated in fraudulent acts as defined by this policy ~~will~~ shall be subject to disciplinary action, including termination. Additionally, employees suspected of perpetrating fraudulent acts may be placed on ~~paid~~ administrative leave during the course of the investigation. In those cases where disciplinary action is warranted, the Office of ~~Personnel/~~ Human Resources, Office of the General Counsel, or other appropriate office shall be consulted prior to taking such actions. Criminal or civil actions may be pursued against employees who participate in fraudulent acts.
- b. An employee terminated by reason of involvement in the perpetration of a fraud will ordinarily be terminated without eligibility for rehire. Actions to be taken ~~will~~ shall be determined without regard to past performance, position held, length of service, race, color, religion, sex, age, disability, national origin, or veteran status.

- c. Students found to have participated in fraudulent acts as defined by this policy ~~[will]~~ shall be subject to disciplinary action pursuant to the operating ~~[manuals]~~ policies of the component institution. In those cases where disciplinary action is warranted, the Dean of Students, Office of Student Services, Office of the General Counsel, or other appropriate office shall be consulted prior to taking such actions. Additionally, criminal or civil actions may be pursued against students who participate in fraudulent acts.

The relationship of other individuals or entities associated with the TTU system found to have participated in fraudulent acts as defined by this policy ~~[will]~~ shall be subject to review, with possible consequences including termination of the relationship. In those cases where action is warranted, the Office of the General Counsel or other appropriate office shall be consulted prior to taking such actions. Additionally, criminal or civil actions may be taken against individuals or entities associated with the TTU system who participate in unlawful acts.

- 07.03.7 Fraud reporting. The results of investigations conducted by the OAS shall be communicated, either orally or in writing, as determined by the CAE, to the board and to the chancellor and/or other appropriate administrators.

07.04 **Budget rules and procedures.**

- 07.04.1 Fiscal year. The TTU system fiscal year shall be September 1 through August 31.
- 07.04.2 General.
 - a. The board is required by law and Section ~~[01.01]~~ 01.02.8.d(3), *Regents' Rules*, to approve an annual budget covering the operation of the ensuing fiscal year. This budget shall be prepared within the limits of revenue available from legislative appropriations and estimated local and other funds.
 - b. The budget is to be constructed along organizational lines and using appropriate fund groupings required by state law or rec-

ommended by the State Auditor's Office or the State Comptroller's Office.

- c. The board has the overall responsibility for the budget; however, limitations of time make it impractical for the board to address budget issues other than major policies and priorities. The board effectively discharges its budgetary responsibilities by reviewing and approving general policies. Detailed budgetary development and control is delegated to the chancellor, the presidents, and the chief fiscal officers.
- d. The annual budget shall be prepared and adopted well in advance of the fiscal period and shall include all anticipated operating revenues, expenditures, transfers, and allocations. Adjustments to the budget [~~will~~] shall be approved in accordance with board policy set forth in Section 07.04.5, *Regents' Rules*.
- e. The chief fiscal officers are responsible for the compilation of estimates of revenues and the development of appropriate contingencies.
- f. The principal officers of the TTU system [~~will~~] shall develop recommendations on major budgetary policies and programs. These policies include such items as salary and wage increases, differential allocations to certain programs, implementation of new programs, reduction or elimination of existing programs, and other budgetary items. The board's budgetary policies [~~will~~] shall be communicated by the presidents, with the assistance of the chief fiscal officers of the component institutions, to the deans, directors, and departmental heads.
- g. The chancellor and presidents, with the assistance of the chief fiscal officers, shall present budget recommendations to the board that [~~will~~] include a comparison of the proposed budget with those of previous years, explanation of major changes, description of programs added or eliminated, and salary and wage policies.
- h. The chief fiscal officers are responsible for communicating with budgetary units and providing each unit a copy of its approved budget.

07.04.3 ~~[Budgetary control.~~

[The "Budgetary control" section is moved under the section on "Budget adjustments." (see new Sec. 07.04.4.f on p. 16-17)]

- ~~a.—An essential element of budgeting is the establishment of effective budgetary control. Budgetary control shall ensure that expenditures do not exceed available funds.~~
- ~~b.—The chief fiscal officers are responsible to the presidents, the chancellor, and the board for maintaining budgetary controls. All expenditures in the institutions must be made within approved budgets. Administrators are not authorized to commit funds without a budget approved by the chief fiscal officers or designee. The chief fiscal officers shall inform the chancellor, the respective president, and the board of any deviations greater than \$100,000 from this policy, including a list of individual fund accounts with deficit fund balances at the end of each fiscal quarter.~~
- ~~c.—It is the responsibility of the department head (e.g., dean, chair, director) to exercise budget control. These officers have the primary responsibility to control expenditures within the department. Upon approval of the budget, department heads are responsible for assuring there is no deviation from the approved budgets.~~
- ~~d.—The chief fiscal officers shall assure that monthly reports of revenues and expenditures are made available to each budget unit.]~~

~~[07.04.4]~~ Budgets and other expenditure certifications.

- a. Administrators must receive an approved budget from the chief fiscal officer or designee prior to expending funds or committing to expenditures. The chief fiscal officers are responsible for certifying that funds are available for each approved budget.
- b. Expenditures requiring board approval, including the annual operating budget and certain construction projects, must have a ~~[separate written]~~ certification statement by the chief fiscal officer. The purpose of the statement is to provide the board an objective analysis for the adequacy of the funding proposed.

Certification of the adequacy of funding may be made with or without qualifications. If the certification is qualified, these qualifications ~~[will]~~ shall be specifically identified by the chief fiscal officers.

07.04.4 ~~[07.04.5]~~ Budget adjustments. Budget adjustments to the annual operating budget or to other expenditures requiring board approval are defined in the following sections. Budget adjustments may not be divided to fall within lower levels of approval. Approvals must be obtained prior to the effective date of action for the following:

a. Board approval:

(1) Board approval is required for:

(a) adjustments that establish a new budget or increase an existing budget by an amount of more than

~~[\$500,000]~~ \$1,000,000; and

(b) non-statutory adjustments to the salary of the chancellor.

(2) Emergency approvals. In an emergency, adjustments of more than ~~[\$500,000]~~ \$1,000,000 may be approved by either the chair of the board or chair of the Finance and Administration Committee, with subsequent notification to the board at the next regular board meeting.

b. Chancellor's approval is required for the following:

(1) Adjustments to the salary of TTU system officers and individuals who report directly to the chancellor, except for positions covered under the provisions of Section ~~[02.03.2]~~ 02.03.6, *Regents' Rules*.

[02.03.2 = Chancellor's appointments ... includes General Counsel, CFO, other Vice Chancellors, and other TTUSA officers ... 02.03.6 requires the salaries for these positions to be set by the Chancellor with prior notice to the Board.]

- (2) Non-statutory adjustments to the total salary or wage rate of a TTUSA employee when such an adjustment is 10% or more per annum. However, this requirement does not apply to:
 - (a) bona fide promotions or reclassifications;
 - (b) supplemental compensation payments required by law; or
 - (c) adjustments to an employee's total salary or wage rate that result in an annual increase of \$2,000 or less.
 - (3) [All budget adjustments of \\$1,000,000 or less to the TTUSA's original operating budget.](#)
 - (4) Adjustments authorized by law.
- c. President's approval is required for the following:
- (1) All budget adjustments of ~~[\$500,000]~~ [\\$1,000,000](#) or less to the institution's original operating budget.
 - (2) Non-statutory adjustments to the total salary or wage rate of an employee of the institution when such an adjustment is 10% or more per annum. However, this requirement does not apply to:
 - (a) bona fide promotions or reclassifications;
 - (b) supplemental compensation payments required by law;
 - (c) adjustments to the total salary or wage rate of an employee of the institution that result in an annual increase of \$2,000 or less; or

- (d) adjustments to the total salary of a position covered under the provisions of Section ~~[02.03.3]~~ 02.03.8, *Regents' Rules*.

[02.03.3 = President appointees include provosts, vice presidents, vice provosts, deans, athletic directors, and head coaches ... 02.03.8 requires salaries for provosts, vice presidents, vice provosts, and deans ... *but not AD's or head coaches* ... to be set by the President with an annual report of these salaries to be presented to the Chancellor and Board.]

~~[(3) Adjustments to establish a budget for new activities that will be conducted at external facilities.]~~

- d. Approval of any agreement or contract, in accordance with Section 07.12.1, *Regents' Rules*, constitutes authority to establish a maximum budget that does not exceed the amount of the approved agreement or contract.
- e. The chancellor and presidents may delegate budget authority to appropriate budget and financial officials.
- f. Budgetary control.

[The "Budgetary control" section is relocated from former Sec. 07.04.3 (p. 12-13) to make it a part of the section on "Budget adjustments." The only change in language is substituting the term "*the respective chief executive officer*" for "*the chancellor, the respective president, and the board*" for who gets notified when revenues or expenditures deviate by more than \$100,000 from their budgeted amounts. (*see additional note below*)]

- (1) An essential element of budgeting is the establishment of effective budgetary control. Budgetary control shall ensure that expenditures do not exceed available funds.
- (2) The chief fiscal officers are responsible to the presidents, the chancellor, and the board for maintaining budgetary controls. All expenditures in the institutions must be made within approved budgets. Administrators are not authorized to commit funds without a budget approved

by the chief fiscal officers or designee. The chief fiscal officers shall inform the respective chief executive officer of any deviations greater than \$100,000 from this policy, including a list of individual fund accounts with deficit fund balances at the end of each fiscal quarter.

[Informing the "chief executive officer" of a deviation allows the notification to be made to: • the Chancellor (*the CEO of the TTU system as well as the System Administration*) when the deviation is to the System Administration budget, or ... • to the President (*the CEO of the institution*) when the deviation is to an institutional budget.]

- (3) It is the responsibility of the department head (e.g., dean, chair, director) or designated financial manager to exercise budget control. These officers have the primary responsibility to control expenditures under their budget authority. Upon approval of the budget, department heads are responsible for assuring there is no deviation from the approved budgets.
- (4) The chief fiscal officers shall assure that monthly reports of revenues and expenditures are made available to each budget unit.

07.05 Debt management policy.

07.05.1 General debt management policy.

- a. All debt programs ~~[will]~~ shall be made in accordance with applicable state and federal statutes and regulations. ~~[The]~~ Notwithstanding any other provision of the Regents' Rules, the board ~~[will]~~ shall authorize the issuance of all TTU system indebtedness.

[The addition above is to ensure that the Board must approve any and all use of debt, including increases in the use of debt when the cost of a construction project increases but the percentage cost increase is below the threshold that requires re-approval of the project by the Board.]

- b. To the extent permitted by law, the board may grant to the chancellor, or the chancellor's designee, the authority to issue short-term indebtedness. The short-term debt program ~~[will]~~ shall be utilized for capital projects during construction and for equipment acquisition. All conversions to long-term or bond indebtedness shall be approved by the board.
- c. The vice chancellor and chief financial officer, or the vice chancellor and chief financial officer's designee, is authorized to approve the pricing of bond and note issues and is responsible for assuring that all bond covenants are in compliance and that all necessary approvals, certifications, and authorizations are fully documented and made available to the board and to all bondholders.
- d. The vice chancellor and chief financial officer, or the vice chancellor and chief financial officer's designee, is responsible for assuring that all debt service payments are made to the appropriate paying agents in a timely manner.
- e. Debt service funding is the responsibility of each institution participating in the RFS and the HEAF programs.

- f. If a project requires Texas Higher Education Coordinating Board approval, no debt proceeds will be allocated to that project prior to receiving such approval.

07.05.2 RFS debt management policy.

- a. The TTU system and its components are eligible to participate in the RFS.
- b. The TTU system ~~will~~ shall use the following guidelines for the RFS:
 - (1) Buildings and other major capital projects ~~will~~ shall be financed for a period of up to the lesser of the project's estimated useful life or 40 years.
 - (2) Equipment ~~will~~ shall be financed for a period up to the lesser of its projected useful life or 10 years.
 - (3) To the extent required by law, the Texas Higher Education Coordinating Board ~~approval will~~ shall be ~~obtained if~~ notified of project costs in accordance with the relevant rules promulgated by the Coordinating Board ~~exceed \$1,000,000 for new construction or \$2,000,000 for major repair and rehabilitation. Debt proceeds will not be allocated to a project prior to receiving Coordinating Board approval. If Coordinating Board approval is not required, documentation of the exception criteria will be provided to the chancellor by the chief financial officer.~~

[Since the Coordinating Board no longer approves institutional facility projects, the provision above is amended accordingly.]
 - (4) Individual revenue streams considered for debt service must meet a 1.15 debt coverage ratio test, unless the debt is issued as tuition revenue debt, in which case it must meet a 1.00 debt coverage ratio test. Debt coverage is defined as total revenue divided by total debt service.

- (5) Debt service ~~[will]~~ shall be collected from departments at the component institutions in the amount of the 1.15 ratio, as noted in Subdivision (4) of this subsection, until the maximum reserve accumulated is equal to a department's maximum annual debt service for the remaining debt outstanding. When the maximum reserve is reached, the debt service ~~[will]~~ shall be collected in the amount of a 1.00 ratio.
 - (6) The board shall approve designated debt financing prior to a project's initiation. Reimbursement clauses, revenue stream certification, non-default certification, and all requirements of the RFS Master Resolution ~~[will]~~ shall be included in the agenda items submitted for board approval that authorize the debt financing.
 - (7) Application to and approval of the Texas Bond Review Board is required for all new long-term issues, except as noted below. Long-term issuances also are subject to the examination and approval of the Texas Attorney General. (Note: Sec. 1231.041(b), Texas Government Code, eliminates the requirement for institutions of higher education to seek approval by the Texas Bond Review Board for bonds rated AA- or better, unless state general revenue is pledged on the debt.)
- c. The TTU system ~~[will]~~ shall use the following general guidelines for the RFS:
- (1) As long as RFS debt remains outstanding, the TTU system ~~[will]~~ shall prepare end-of-fiscal-year certifications. The certifications, signed and approved by the ~~[president and]~~ vice president for fiscal affairs of the component institution, ~~[will]~~ shall be submitted to the vice chancellor and chief financial officer no later than November 15 of each year and ~~[will]~~ shall be used for reporting on the status of

the RFS to the chancellor and the board. The certifications ~~[will]~~ shall include the following:

- (a) A comparison of revenue projections with those actually collected in the previous year and an updated assessment of anticipated future revenues. If actual revenues were not sufficient, a written report to the board must be provided. This report must address why the revenues were insufficient and the impact on the institution's current and future ability to pay for its share of debt service.
 - (b) Verification that the institution has sufficient funds that may be pledged and are available for the next fiscal year's principal/interest payments.
 - (c) Verification that the institution is in compliance with all RFS bond covenants and *Regents' Rules* requirements relative to the issuance of RFS debt.
- (2) The vice chancellor and chief financial officer ~~[will]~~ shall prepare an annual report on the status of RFS obligations for the chancellor and the board. The report ~~[will]~~ shall include the following:
- (a) The balance of RFS obligations outstanding at the beginning of the fiscal year and on the date of the report.
 - (b) A listing of projected needs (by institution and funding source) for the next year.
 - (c) The amount of RFS obligations that will be necessary to fund each institution's needs for the next year.
 - (d) A certification that the TTU system is current on debt service funding for RFS obligations outstanding. If an institution is not in compliance, the steps being taken to bring the institution into compliance ~~[will]~~ shall be included and ~~[will be]~~ reported quarterly until compliance is achieved.

07.05.3 HEAF debt management policy.

- a. Component institutions are eligible to participate in HEAF debt financing.
 - (1) Except as described in Subdivision (4) of this subsection, HEAF debt proceeds may be used for acquiring land, construction, ~~and~~ equipping permanent improvements, major repair and rehabilitation of permanent improvements, [acquisition of capital equipment](#), and refunding previously issued HEAF indebtedness.

[Note: Heretofore, the acquisition of capital equipment was addressed through the term "equipping permanent improvements," so the addition above simply clarifies that capital equipment may be acquired using HEAF debt proceeds.]
 - (2) HEAF indebtedness ~~will~~ [shall](#) be payable with state appropriated moneys. Maturities ~~will~~ [shall](#) not exceed 10 years ~~and will be limited to the current HEAF funding cycle~~. HEAF bonds ~~will~~ [shall](#) be competitively bid. HEAF notes (e.g., commercial paper notes) need not be competitively bid. HEAF indebtedness is subject to approval by the Texas Attorney General.
 - (3) No more than 50% of the annual HEAF allocation of component institutions ~~will~~ [shall](#) be used for paying debt service on HEAF indebtedness issued on behalf of component institutions.
 - (4) HEAF debt proceeds are not permitted by law to be used for maintenance, minor repairs, operating expenses, student housing, intercollegiate athletics, or auxiliary enterprises.

~~[(5) Prior approval of the Texas Legislature or the Texas Higher Education Coordinating Board is required for expenditure of HEAF debt proceeds for new construction in excess of \$1,000,000, major repair and rehabilitation in excess of \$2,000,000, and land acquisitions.]~~

[These prior approvals are no longer required for HEAF debt expenditures.]

07.05.4 Equipment financing. Procedures for equipment financing under the commercial paper program(s) are as follows:

- a. ~~[In order to obtain approval for the issuance of RFS debt to purchase equipment, the component institutions must, by July 1 of each fiscal year, determine equipment needs for the following fiscal year.]~~ For equipment costing \$250,000 or more, the board shall authorize the financing through the equipment financing program. For equipment costing less than \$250,000 but more than \$100,000 that is to be financed through the equipment financing program, the approval of the chancellor with the concurrence of either the chair of the board or the chair of the Finance and Administration Committee is required. The approval of the chancellor is required for equipment costing less than \$100,000 that is to be financed through the equipment financing program. The Office of ~~[Investments will]~~ Treasury and Cash Management shall submit the required notice to the Texas Bond Review Board.
- b. The minimum aggregate amount of equipment value to be financed under the equipment financing program is \$100,000 for each component institution. Multiple smaller equipment purchases may be combined to achieve the minimum amount. Each piece of equipment must have a useful life of not less than three years. The equipment ~~[will]~~ shall be purchased from the vendor by the component institution. RFS debt ~~[will]~~ shall be issued to reimburse the component institution for the equipment purchase. The debt ~~[will]~~ shall be amortized each February 15 and August 15 and ~~[will]~~ shall be fully amortized up to the lesser of its projected useful life or 10 years.

- 07.05.5 Failed remarketing procedures. Procedures to be used in the event of a failed remarketing of RFS commercial paper debt ~~[will]~~ shall be maintained in the Office of ~~[Investments]~~ Treasury and Cash Management.
- 07.05.6 Post tax-exempt issuance compliance. Procedures shall be maintained in the Office of Treasury and Cash Management that comply with all applicable federal tax law requirements ensuring that interest earned by the holders of tax-exempt bonds is not taxable under Section 103 of the U.S. Internal Revenue Code.
- 07.06 **Credit extension.** The chancellor, or the chancellor’s designee, is authorized to approve the sale of goods and services on credit provided that: there is a public purpose for the sale that can be documented; and controls limiting risk of loss have been established and reviewed by the OAS.
- 07.07 **State comptroller deposits.**
- 07.07.1 Cash receipts. State statutes and the current state Appropriations Act require that all cash receipts accruing to component institutions be deposited in the state treasury, with the exception of those funds listed in Section 51.008, *Texas Education Code*. Funds to be deposited within the TTU system include funds from auxiliary enterprises, non-instructional services, agency, designated and restricted funds, endowment funds, trust funds, other gift funds, student loan funds, funds retained under Chapter 145, *Texas Education Code*, and Constitutional College Building Amendment Funds.
- 07.07.2 Depositing rules. Cash receipts that are required to be deposited in the state treasury shall be so deposited in the manner prescribed by state statutes and the current state Appropriations Act.
- 07.07.3 Revolving funds. Component institutions of the TTU system are authorized by the current state Appropriations Act to establish Revolving Funds under certain prescribed procedures to facilitate the payment of nominal expenses and to pay bills within cash discount periods, as well as for regular monthly, weekly, and special payrolls.

07.08 **Primary and secondary depositories for the TTU system.** Only those banks selected as prescribed by this policy and in compliance with all existing statutes shall be used to deposit and safeguard all funds subject to the control of the board.

07.08.1 Primary depository. A primary depository is defined as the bank or banks selected as the financial institution(s) in which all funds of the component institutions, except as herein provided, are deposited for operating or investment purposes. The board, in its sole discretion, shall select the primary depositories.

07.08.2 Secondary depositories.

- a. Secondary depositories may be selected by the [Office of Treasury and Cash Management, with the approval of the](#) chief fiscal officers, ~~[with the approval of the chancellor or appropriate president]~~ as banks in which the component institutions may maintain deposits temporarily, prior to transmittal to primary depositories.
- b. Balances in secondary depository accounts shall be fully secured by the FDIC (or its successor) ~~[and in accordance with the provisions of Section 09.01, Regents' Rules]~~, with a pledge of qualified securities held by a custodian bank and in an amount equal to 102% of the difference between the amount insured by FDIC and the greatest amount expected to be on deposit at any time. ~~[The chief fiscal officers may exempt secondary depositories from the affiliated custodian provisions of Section 09.01, Regents' Rules.]~~
- c. Funds in secondary depository accounts ~~[will]~~ shall be transferred to the primary operating depository as soon as possible ~~[but at least once each seven calendar days]~~. In no event shall the amount on deposit exceed the amount insured by FDIC plus any collateral pledged against the account.

07.09 **Travel authorization, reimbursement, and institutional regulations.**

- 07.09.1 Travel approval. Each component of the TTU system shall promulgate operating policies, procedures, rules and regulations governing employee travel in conformity with federal and state laws.
- 07.09.2 Board members' travel and other expenses.
- a. All travel by board members that is paid from TTU system funds shall be for official business only.
 - b. When traveling on official business, members of the board are authorized to be reimbursed from appropriated funds for the actual cost of:
 - (1) meals and lodging, subject to the rates and limitations established in statutory authority;
 - (2) local transportation;
 - (3) parking fees; and
 - (4) airfare at the next lowest rate below first class, unless such a rate is not available.
 - c. When the board member's spouse is required to accompany the board member for a valid public purpose, as determined by the board member, the spouse's expenses shall be reimbursed from non-appropriated funds.
 - d. Vouchers for travel or other expenses of board members ~~will~~ shall be prepared in the Office of the Board of Regents, forwarded to the Office of the Chief Financial Officer for review, and returned to the Office of the Board of Regents for further approval. Either the chair of the board or the chair of the Finance and Administration Committee must approve all vouchers for board members. A board member may not approve his or her own voucher.
 - e. Vouchers for reimbursements to board members for other expenses shall be processed in accordance with Subsection d. of

this section. These expenses must be for a valid public purpose, as certified by the board member. Any extraordinary expenses must be approved in advance by either the chair of the board or the chair of the Finance and Administration Committee.

- f. The vice chancellor and chief financial officer [~~will~~] shall assure that expense vouchers for board members are audited annually.

07.09.3 Chancellor's travel and other expenses.

- a. The chancellor's travel that is paid from TTU system funds shall be for official business only.
- b. The chancellor is the executive head of a state agency and, when traveling on official business, is authorized by law to be reimbursed from appropriated funds for the actual costs of meals, lodging, local transportation, and parking fees, and for airfare at the next lowest rate below first class unless such a rate is not available.
- c. When the chancellor's spouse is required to travel for a valid public purpose, as determined by the chancellor, the spouse's expenses shall be reimbursed from non-appropriated funds derived from gifts received from private sources.
- d. Vouchers for travel or other expenses of the chancellor [~~will~~] shall be forwarded to the vice chancellor and chief financial officer for review and then forwarded for approval to the chair of the Finance and Administration Committee or, in his or her absence, the board chair. Normally, vouchers shall be submitted within ten days of the travel.
- e. When official business requires the chancellor to be absent from the campus for a period in excess of seven business days, excluding official TTU system holidays, the Office of the Board of Regents shall be notified in writing, with notification provided to the chair and vice chair of the board.
- f. The vice chancellor and chief financial officer [~~will~~] shall assure that travel expense vouchers for the chancellor are audited annually by an external auditor.

- 07.09.4 Faculty, staff, and student travel. Each component ~~will~~ institution shall develop and disseminate policies and procedures in operating manuals for travel of faculty, staff, and students that adhere to state guidelines.
- 07.10 **Approval of tuition and student fees.**
- 07.10.1 Assessment. Each year, the board shall approve the assessment of tuition and fees for students of component institutions of the TTU system. The amounts to be assessed shall be presented annually to the board in a document to be entitled "Global Fee Schedule."
- 07.10.2 Collection. The authority of the board to collect tuition, fees, and other charges in accordance with the methods and manners prescribed in state statute is delegated to the presidents.
- 07.10.3 Exemptions and waivers. The authority of the board to grant exemptions and waivers from tuition, fees, and other charges in accordance with state statutes is delegated to the presidents.
- 07.11 **Aircraft use and operation.** All TTU system staff, faculty, and students traveling on official business or activities ~~will~~ shall use only those aircraft and aircraft operators that meet the requirements set forth below. The travel regulations contained in the state Appropriations Act and applicable state statutes ~~will~~ shall be followed by the TTU system. Regardless of the source of funds, allowable reimbursements are established by the state Appropriations Act. In addition, TTU system employees are encouraged to be as conservative as possible in the use of air travel, using charter flights only when such flights are cost-effective or absolutely necessary.
- 07.11.1 Air travel requirements. The TTU system ~~will~~ shall only use aircraft and aircraft operators that are flightworthy and are certified and operate under Subchapters F & G, Parts 91, 119, 121, 125, or 135, as applicable, in Chapter 1, Federal Aviation Regulations, 14 Code of Federal Regulations (the "C.F.R."). In addition, all aircraft used pursuant to this provision must, at a minimum, be piloted by pilots that are fully qualified and insured in the aircraft being flown, possessing a commercial pilot certificate with instrument rating. All flights involving student travel must be piloted by two pilots.

- 07.11.2 Foreign air travel. Air travel to or in foreign countries by TTU system faculty, staff or students ~~will~~ shall be arranged only through commercial air carriers regularly engaged in scheduled passenger air transportation.
- 07.11.3 Information requirement. With the exception of commercial, certified domestic and flag air carriers, aircraft operators ~~will~~ shall provide the TTU system with the following information:
- a. type of certificate;
 - b. certificate number;
 - c. date the certificate was issued;
 - d. expiration date for the certificate;
 - e. type and registration number of aircraft authorized;
 - f. name of the Federal Aviation Administration Flight Standards Office having jurisdiction over the certificate holder; and
 - g. schedule of insurance coverage in effect, showing insurance companies, policy numbers, type, amounts, period of coverage, and special conditions, exceptions and limitations.
- 07.11.4 Aircraft made available to the TTU system by other than commercial operations. Aircraft and crew made available to the TTU system by other than commercial operators must, as a minimum, qualify under all regulations regarding aircraft and crew outlined in 14 C.F.R., Chapter 1, Subchapter G, Part 91, and conform to the insurance provisions set forth in Section 07.11.5, *Regents' Rules*. In addition, all aircraft used pursuant to this provision to transport students must, at a minimum, contain a multi-turbo prop engine or jet engine and be piloted by two pilots who are fully qualified and insured in the aircraft being flown and who possess a commercial pilot certificate with instrument rating.
- 07.11.5 Insurance. Aircraft owners/operators must furnish a certificate of insurance to the TTU system as proof of at least \$300,000 coverage per

passenger, or the minimum amount required by law, whichever is greater.

- 07.11.6 Administrative requirements. The following are administrative requirements:
- a. All flights involving leased or chartered aircraft, or aircraft made available to the TTU system pursuant to Section 07.11.4, *Regents' Rules*, must be approved in advance by the chancellor or the chancellor's designee.
 - b. All flights involving student travel, other than travel on commercial air carriers, must be approved in advance by the chancellor or the chancellor's designee.
 - c. The TTU system department arranging travel under Subdivision a. or b. of this subsection ~~[will]~~ shall ensure that contracts and other appropriate documents are reviewed by the Office of the General Counsel prior to approval by the chancellor or the chancellor's designee.
- 07.11.7 ~~[TTU-waiver]~~ Waiver. This policy may be waived by the ~~[TTU-chief academic officer's]~~ prior written approval of the institution's chief academic officer for employees and graduate research assistants involved in research projects requiring aerial surveys. Such research projects must be supported by ~~[fund]~~ funded grants that have been approved by the Office of Research Services.
- 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 state regulations (see ~~[State of Texas Travel Allowance Guide, Chapter 6, Section 6.02]~~ Chapter 660, Subchapter D, Texas Government Code). 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.

07.12 Contracting policies and procedures.

07.12.1 General.

- a. This policy shall establish the authority for the board and authorized TTU system personnel to approve, sign, and execute contracts committing the TTU system to any approved act. ~~The policy shall be compatible with all other board policies.~~
- b. Written contracts shall be executed whenever a TTU system component enters into a binding agreement with another party which involves any material consideration.
- c. Contracts include, but are not limited to: letter agreements, cooperative agreements, memorandums of understanding, inter-agency contracts, grants, loans, easements, licenses, leases, permits and restrictions on acceptances of gifts and bequests. Other parties include, but are not limited to: federal, state and local agencies, nonprofit organizations, private businesses, corporations, partnerships and individuals.
- d. Applicability of policy.
 - (1) This policy shall apply to all contracts for the initial periods ~~and for~~ amendments or extensions thereto ~~and~~. For the purpose of determining whether a contract requires the approval of the board, any option(s) to extend or renew a contract shall be counted in the overall term of the contract. For example, a contract for a lease of land for three years that has an option to extend the lease

for an additional three years shall be considered to be a lease of land for more than four years.

[The language added above clarifies that, for the purpose of determining whether Board approval of a contract is required, options to extend a contract are counted in the overall term of the contract.]

- (2) This policy shall also apply to, but not be limited to: cooperative agreements with affiliated and nonaffiliated hospitals and other health care agencies, private corporations, sole proprietorships, federal agencies, private partnerships, and individuals.
- e. This contracting policy does not apply to purchasing documents, which shall be processed in accordance with state law and purchasing regulations. State law delegates certain purchasing authority to the respective purchasing agents at the various state agencies in Texas. The purchasing agents are charged with ensuring that these purchases are processed in accordance with state bidding requirements, sole source purchasing restrictions, and statewide or consortium purchasing contracts for certain commodities.
 - f. In the event a contract executed under other provisions of this policy is subsequently found to be required by law or by this policy to be approved by and/or executed by the board, the contract shall continue to be in full force and effect, but shall be submitted for ratification at the next available board meeting.
 - g. Approval and signature execution of a contract pursuant to the provisions of this policy constitutes approval to establish an operating budget, which shall not exceed the consideration of the contract. The operating budget then ~~will~~ shall be considered approved in accordance with the provisions of Section 07.04, *Regents' Rules*, and related implementing procedures.
 - h. Contracts shall not be divided to fall within lower levels of approval.

07.12.2 Board approval.

- a. Upon recommendation of the chancellor, board approval is required for contracts that involve a stated or implied consideration in excess of ~~[\$500,000]~~ \$1,000,000 per annum, unless a different consideration is specified by this policy. This requirement is applicable to both cash and non-cash considerations.
- b. The board delegates to the presidents ~~[, or their designees,]~~ the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of ~~[\$500,000]~~ \$1,000,000 per annum. Sponsored program projects are those grants, contracts, and cooperative agreements from either the public or private sectors that support research, instructional, and service projects. A list of such contracts for sponsored program projects in excess of ~~[\$500,000]~~ \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting.
- c. The board delegates to the chancellor ~~[,]~~ and the presidents ~~[, or their designees,]~~ the authority to execute and sign contracts related to minor construction projects for TTUSA and the component institutions, respectively, as defined by Section 08.01.4, *Regents' Rules*.

- d. ~~[Consulting contracts]~~ Contracts that provide for the services of a consultant.
- (1) Consulting contracts with an initial consideration in excess of \$25,000:
- (a) Upon recommendation of the chancellor, board approval is required ~~[for]~~ prior to the execution of a consulting contract ~~[contracts that provide for the services of a consultant]~~ with an initial consideration in excess of \$25,000 and prior to the execution of all modifications ~~[increasing]~~ that increase the consideration of such a contract.

[There are occasions when the initial intention is to pay a consultant more than \$25,000, but the consultant needs to start prior to the date of a Board meeting at which Board approval can be granted. The following is a codification of the informal process that's been used in these situations.]

- (b) Upon recommendation of the chancellor, a consulting contract with an initial consideration in excess of \$25,000 may be executed prior to approval by the board if:
- i. the contract includes a provision that limits the total amount to be paid to the consultant to no more than \$25,000 unless and until such time as the board has approved the agreement; and
- ii. the chair and chair of the Finance and Administration Committee authorize execution of the agreement in advance of approval by the board.

(2) ~~[For]~~ Consulting contracts ~~[that provide for the services of a consultant]~~ with an initial consideration of \$25,000 or less:

(a) ~~[prior]~~ Board approval is not required, but notice of the proposed contract must be provided to the chair and the chair of the Finance and Administration Committee prior to execution of the contract. ~~[;]~~

[QUESTION: Keep (a) as amended ... or delete the prior notice requirement? Per Brunjes: "This needs to be discussed and accepted by the two chairs."]

(b) ~~[a]~~ A report of the contract shall be provided as an Information Agenda item at the next board meeting. ~~[; and]~~

(c) ~~[approval]~~ Approval of the board is required prior to execution for any modification to a consulting contract where the initial consideration was \$25,000 or less and the modification will cause the total consideration to exceed \$25,000.

(3) For the purposes of Section 07.12.2.d, Regents' Rules, a search firm is a service provider and is not deemed to be a consultant.

[Search firms would be deemed to be service providers and not consultants. Thus, search firms would not be subject to the special approval requirements relating to consulting contracts.]

- e. Contracts involving a sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years [~~and employment agreements~~].

[Employment agreements are now governed by Sec. 07.12.2.f (starting on p. 38).]

- (1) Upon recommendation of the chancellor, board approval is required for the following contracts or agreements:

- (a) contracts that involve:

- i. a sale or purchase of land and/or improvements thereon by a TTU system entity, or
- ii. a lease of land and/or improvements thereon for more than four years, where a TTU system entity is either the lessor or the lessee;

[The changes to Sub-e(1)(a) clarify that a "sale or lease of land" applies to any sale (whether Texas Tech is the buyer or the seller) and any lease of more than four years (whether Texas Tech is the lessor or lessee). A "sale or lease of land" is involved no matter whether Texas Tech is the buyer or seller or the lessee or lessor, but the proposed changes more clearly state the application of this provision.]

- (b) contracts that involve a commitment of funds or other resources for more than four years [~~and~~]

~~[(c) all employment contracts, including but not limited to letters of agreement and memoranda of understanding].~~

↑
[Employment agreements are now governed by a new Sec. 07.12.2.f (starting on p. 38).]
↓

- (2) ~~[The following are exempted from the provisions of Section 07.12.2.c(1), Regents' Rules:~~

- (a) ~~Multi-year employment contracts and employment contract modifications and extensions that are governed by the provisions of Sections 02.03.1, 02.03.2, and 02.03.3, *Regents' Rules*.~~
- (b) ~~Employment contracts and employment contract modifications and extensions for assistant coaches of intercollegiate athletics programs if: the total compensation (including cash and non-cash considerations) over the entire term of the contract is \$1,000,000 or less; and the term of the contract does not exceed three (3) years. Such contracts, modifications, and extensions shall have the recommendation of the director of intercollegiate athletics and receive the final approval of the president, with prior notification to the chancellor.~~
- (c) ~~TTUHSC faculty employment contracts. Such contracts of four years or less shall receive the final approval of the president. Such contracts in excess of four years shall be approved by the president, with prior approval of the chancellor and prior notification to the board.~~
- (d) Contracts [other than employment contracts] that may be terminated without cause with notice of 120 days or less are excepted from the requirements of Section 07.12.2.e(1), *Regents' Rules*.

[Employment agreements would now be governed by their own separate subsection (see newly added Sec. 07.12.2.f ... p. 38-40).]

- f. Employment contracts and agreements.
- (1) Employment contracts or agreements include but are not limited to letters of agreement and memoranda of understanding.
 - (2) Except as provided in Section 07.12.2.f(3) herein, employment agreements that contain one or more of the following provisions must be approved by the board:
 - (a) employment contracts having a total compensation (including cash and non-cash considerations) over the entire term of the contract of more than \$1,000,000;
 - (b) employment contracts having a term longer than four (4) years;
 - (c) employment contracts that allow for settlement or other payments on the termination of the contract to exceed an amount equal to the discounted net present cash value of the contract on termination at the U.S. Treasury rate that matches the remaining term of the contract;
 - (d) employment contracts allowing for development leave that is inconsistent with Section 04.05, *Regents' Rules*, and/or institutional operating policies; or
 - (e) employment contracts awarding tenure in any way that varies from the applicable operating policies on the award of tenure.

(3) The following are excepted from the requirements of Section 07.12.2.f(2), *Regents' Rules*:

(a) Employment agreements for the chancellor or presidents shall be governed by Sections 02.01.2 and 02.03.1.b(2) of the *Regents' Rules*, respectively.

(b) Athletic employment agreements.

i. Athletic directors and head coaches. Employment contracts and employment contract modifications and extensions for athletic directors and head coaches of intercollegiate athletics programs do not require the approval of the board if: the total compensation (including cash and non-cash considerations) over the entire term of the contract is \$2,000,000 or less; and the term of the contract does not exceed five (5) years. For athletic directors, such contracts, modifications, and extensions shall receive the final approval of the president, with prior notification to the chancellor. For head coaches, such contracts, modifications, and extensions shall have the recommendation of the athletic director and receive the final approval of the president, with prior notification to the chancellor.

[The "old" provision in Sec. 02.03.3 required multi-year contracts for athletic directors and head coaches to be approved by the President, with the Chancellor having prior approval authority and the Board getting prior notice.]

ii. Assistant coaches. Employment contracts and employment contract modifications and extensions for assistant coaches of intercollegiate athletics programs do not require the approval of the board if: the total compensation (including

cash and non-cash considerations) over the entire term of the contract is \$1,000,000 or less; and the term of the contract does not exceed three (3) years. Such contracts, modifications, and extensions shall have the recommendation of the athletic director and receive the final approval of the president, with prior notification to the chancellor.

[The current provision for approval of assistant coach contracts is retained without changes.]

- (c) Health-related institution faculty employment contracts. For such contracts, only the portion of the faculty member's salary that is funded by the State of Texas shall be counted in the compensation total. Further, for such contracts that would require the approval of the board under Section 07.12.2.f(2), when it is not feasible or practical to delay action until the next scheduled regular or special called meeting of the board and upon the recommendation of the chancellor, approval of the contract may be given by the chair or the chair of the Finance and Administration Committee. Contracts approved in this manner shall be reported to the board as an information item at the next board meeting.

[The current special provision for approval of health-related institution faculty employment contracts (see former Sec. 07.12.2.e(c) on p. 37) is modified. Clarification is added regarding what is counted in the compensation total ... and a process is provided for approval by the Board chair or the chair of the Finance & Administration Committee when quick action is needed on approval of such a contract.]

- g. Upon recommendation of the chancellor, board approval is required for contracts involving the initial placement of vending machines, games, or any other coin operated food, refreshment and amusement devices placed in service in any facility owned, operated, or controlled by the TTU system. The president, or the

president's designee, is delegated the authority to determine and approve the location of vending machines, games, or other coin operated food, refreshment and amusement devices placed in all buildings and property under the charge and control of the president's institution.

h. ~~[g.]~~ Unless prohibited by law and upon recommendation of the chancellor, when an emergency or exigent circumstances exist and it is not feasible or practical to convene a quorum of the board within the time in which action is needed, approval may be given for a contract by verbal approval of the chair ~~[of the board]~~ or of the chair of the Finance and Administration Committee ~~[and four other board members]~~. Contracts approved in this manner ~~[will]~~ shall be presented to the board as an information item at the next board meeting.

- The current language of "h" above allows for the use of a 'walking quorum' — a process by which 5 Board members (Board chair or the Finance & Administration Committee chair plus 4 other regents ... a quorum of the Board) take official action to give emergency approval for a contract without the action being taken during a posted-and-open-to-the-public Board meeting. Per the Texas Attorney General, a walking quorum violates the Texas Open Meetings Act. Deletion of "*and four other board members*" removes the potential for a walking quorum.

- A delegation of authority to either the Board chair or the chair of the Finance & Administration Committee to grant emergency approvals to contracts is consistent with other emergency approvals currently in the *Regents' Rules*:
 - **Budget adjustments:** The Board chair or F&A Committee chair can approve emergency budget adjustments that exceed \$500,000.
 - **Major construction projects:** The Board chair or Facilities Committee chair can give emergency approval to any necessary actions for major construction projects.
 - **Medical Practice Income Plan (MPIP) settlements:** The Board chair or vice chair can approve MPIP settlements in excess of \$250,000 during the period between Board meetings.

- Expanding this approval authority for contracts to include both emergencies and exigent circumstances removes the potential for definitional disputes of what constitutes an "emergency."

i. ~~[h.]~~ Contracts approved by the board ~~[will]~~ shall be executed as specified in the board order.

07.12.3 Chancellor's approval.

- a. Approval of the chancellor is required for TTUSA contracts that involve a stated or implied consideration of [~~\$500,000~~] \$1,000,000 or less. This requirement is applicable to both cash and non-cash considerations.
- b. TTUSA contracts may be signed by the chancellor or the chancellor's designee.

07.12.4 President's approval.

- a. Approval of the president is required for all component institution contracts that involve a stated or implied consideration of [~~\$500,000~~] \$1,000,000 or less per annum. This requirement is applicable to both cash and non-cash considerations. Provisions in the *Regents' Rules* regarding employment contracts shall govern the approval of those employment contracts.
- b. Approval of the president is required for all component institution contract renewals or amendments. A list of those renewal contracts in excess of [~~\$500,000~~] \$1,000,000 per annum, including the amount of the contract, [~~will~~] shall be provided to the board as an information item at the next board meeting.
- c. Component institution contracts may be signed by the president or by the president's designee.

07.12.5 Required approvals summary.

Contract Terms	Regents' Rules Section Citation	Approval Required
Contracts in excess of [\$500,000] \$1,000,000 per year	07.12.2.a	Board
<u>Contracts for real property: sale or purchase; and lease for more than 4 years (unless the contract can be terminated without cause with notice of 120 days or less)</u>	<u>07.12.2.e(1)(a)</u>	<u>Board</u>
Contracts in excess of four years (unless the contract can be terminated without cause with notice of 120 days or less)	07.12.2.e(1)(b)	Board
<u>Contracts for minor construction projects</u>	<u>07.12.2.c</u>	<u>Chancellor (for TTUSA projects) or President (for institutional projects)</u>
Consulting contracts in excess of \$25,000 per annum, and all modifications that increase such contracts	07.12.2.d(1)	Board
<u>Consulting contracts of \$25,000 or less per annum</u>	<u>07.12.2.d(2)</u>	<u>Chancellor or President, as appropriate – with prior notice to chairs of Board and F&A Cmte</u>
<u>Contracts with search firms where contract amount does not exceed \$1.0 million per year</u>	<u>07.12.2.d(2)(d)</u>	<u>Chancellor (for TTUSA searches) or President (for institutional searches)</u>
Initial contracts for vending machines	[07.12.2.f] <u>07.12.2.g</u>	Board
Location of vending machines	[07.12.2.f] <u>07.12.2.g</u>	President
TTUSA contracts of [\$500,000] \$1,000,000 or less per year	07.12.3	Chancellor
Component institution contracts of [\$500,000] \$1,000,000 or less per year; <u>amendment or renewal of such component institution contracts</u>	[07.12.4.a] <u>07.12.4</u>	President
[Amendment or renewal of component institution contracts]	[07.12.4.b]	[President]
Sponsored program project contracts	07.12.2.b	President
Employment [contract or employment contract modification or extension for a president] <u>contracts</u>	<u>[see Appendix A]</u> [02.03.1.b(2)]	[Board ... with rec. from Chancellor]

Contract Terms	Regents' Rules Section Citation	Approval Required
[Multi-year employment contract, employment contract modification, or contract extension for: vice chancellor and general counsel; vice chancellor and chief financial officer; other vice chancellor; or other TTU system administration officer]	[02.03.2.e]	[Chancellor ... with prior review and advice by Board]
[Multi-year employment contract, employment contract modification or contract extension for: provost; vice president; vice provost; dean of a school or college; director of intercollegiate athletics; or head coach of an intercollegiate athletics program]	[02.03.3]	[President ... with prior approval of Chancellor and prior notice to Board]
[Employment contracts, modifications or extensions for an assistant coach of an intercollegiate athletics program if: —total compensation over the life of the contract exceeds \$1,000,000; AND/OR —term of the contract exceeds 3 years]	[07.12.2.e(1)(c) and 07.12.2.e(2)(b)]	[Board]
[Employment contracts, modifications or extensions for an assistant coach of an intercollegiate athletics program if: —total compensation over the life of the contract does not exceed \$1,000,000; AND —term of the contract does not exceed 3 years]	[07.12.2.e(2)(b)]	[Athletic Director & President ... with prior notice to Chancellor]
[TTUHSC faculty employment contracts of 4 years or less]	[07.12.2.e(2)(c)]	[President of TTUHSC]
[TTUHSC faculty employment contracts in excess of 4 years]	[07.12.2.e(2)(c)]	[President of TTUHSC ... with prior approval of Chancellor and prior notice to Board]
[Any employment contract or employment contract modification or extension not governed by another provision shown above]	[07.12.2.e(1)(c)]	[Board]

[All of these deleted references are now addressed in Appendix A ... see p. 46.]

07.13 HUBs

- 07.13.1 TTU system commitment. The TTU system is committed to providing procurement and contracting opportunities to HUBs.
- 07.13.2 HUB Coordinators. The chancellor and the presidents of the component institutions shall have the responsibility for planning, coor-

dination, implementation, and enforcement of HUB policies within their respective components. The chancellor or president, as appropriate, ~~will~~ shall appoint a HUB Coordinator for their respective component to carry out the provisions of this policy. The HUB Coordinator must be at least equal in position to the component's procurement director. The HUB Coordinators shall:

- a. coordinate training programs to recruit HUBs and to assist HUBs in conducting business with the TTU system and its components;
- b. report required information to the ~~[TPSS]~~ [Office of the State Comptroller](#);
- c. match HUBs with key TTU system staff to ensure that HUBs interact with the appropriate personnel of the TTU system; and
- d. make a good faith effort to increase the award of goods and service contracts to HUBs in accordance with state statutes and the ~~[TPSS's]~~ promulgated rules [of the Office of the State Comptroller](#).

The TTU system ~~will~~ shall implement policies and procedures in its operating manuals setting forth its HUB programs and procedures. The chancellor and the presidents ~~will~~ shall provide support, as needed, to implement these HUB policies.

07.14 Professional Medical Malpractice Self-Insurance Plan settlement authority.

07.14.1 Board authority. This policy establishes the board's authority to settle claims arising under the ~~[TTUHSC Medical Malpractice]~~ [Texas Tech University System](#) Self-Insurance Plan ("the Plan").

[Note: The Plan currently encompasses both TTUHSC and TTUHSC at El Paso.]

07.14.2 Board approval. Board approval is required to settle claims in excess of \$250,000 arising under the Plan.

- 07.14.3 Chancellor approval. Settlements in excess of \$100,000 but less than or equal to \$250,000 require the chancellor's approval.
- 07.14.4 Vice chancellor and general counsel approval. The vice chancellor and general counsel may approve settlements of \$100,000 or less.
- 07.14.5 Approval during period between board meetings. If necessary during periods between board meetings, the chair or the vice chair of the board may authorize settlements of claims in excess of \$250,000 upon the recommendation of the chancellor.

APPENDIX A – summary of employment agreement approvals (per Sec. 07.12.2.f, *Regents' Rules*)

BOARD APPROVAL REQUIRED	<i>per Section 07.12.2... ↓</i>	BOARD APPROVAL <u>NOT</u> REQUIRED
<p>If <u>any</u> of the following provisions apply, the agreement must be approved by the Board:</p> <ul style="list-style-type: none"> • Total compensation over the entire term of the contract exceeds \$1.0 million. • Term is longer than 4 years. • Termination payment exceeds an amount equal to the discounted net present cash value of the contract upon termination at the U.S. Treasury rate that matches the remaining term of the contract. • Contract allows for development leave inconsistent with <i>Regents' Rules</i> or institutional operating policies. • Contract awards tenure in any way other than as provided in Board-approved operating policies. 	<p>← f(2)(a) →</p> <p>← f(2)(b) →</p> <p>← f(2)(c) →</p> <p>← f(2)(d) →</p> <p>← f(2)(e) →</p>	<p><u>All</u> of the following provisions must apply for the agreement to be exempt from Board approval:</p> <ul style="list-style-type: none"> • Total compensation over the entire term of the contract is \$1.0 million or less. • Term is 4 years or less. • Termination payment does <u>not</u> exceed an amount equal to the discounted net present cash value of the contract upon termination at the U.S. Treasury rate that matches the remaining term of the contract. • Contract does <u>not</u> allow development leave inconsistent with <i>Regents' Rules</i> or institutional operating policies. • Contract does <u>not</u> award tenure in any way other than as provided in Board-approved operating policies.
<p>Chancellor or President contract. [<i>see Sections 02.01.2 and 02.03.1.b(2), respectively</i>]</p>	<p>← f(3)(a) →</p>	<p>— — — —</p>
<p>Athletic director or head coach contract if:</p> <ul style="list-style-type: none"> • total compensation over the entire term of the contract exceeds \$2.0 million; OR • term exceeds 5 years. 	<p>← f(3)(b)i →</p>	<p>Athletic director or head coach contract if: • total compensation over entire term of the contract is \$2.0 million or less; AND ... • term is 5 years or less. [<i>President approves, and Chancellor gets prior notice.</i>]</p>
<p>Assistant coach contract if:</p> <ul style="list-style-type: none"> • total compensation over the entire term of the contract exceeds \$1.0 million; OR • term exceeds 3 years. 	<p>← f(3)(b)ii →</p>	<p>Assistant coach contract if: • total compensation over the entire term of the contract is \$1.0 million or less; AND ... • term is 3 years or less. [<i>President approves, and Chancellor gets prior notice.</i>]</p>
<p>Health-related institution faculty contract if: any of the general thresholds shown above are exceeded ... but:</p> <ul style="list-style-type: none"> • only state-funded compensation is counted; and • a process for quick approval is provided when needed. 	<p>← f(3)(c) →</p>	<p>Health-related institution faculty contract if: none of the general thresholds provided in Sec. 07.12.2.f(2) are exceeded.</p>

ATTACHMENT

5

**Current Horn Professors
(Item 9, Academic, Clinical and Student
Affairs Committee agenda)**

CURRENT HORN PROFESSORS

<u>1968</u>	Henry Shine—retired/working PT Chemistry and Biochemistry	<u>2005</u>	Susan Hendrick—retired/working PT Psychology
<u>1979</u>	Robert J. Baker Biological Sciences		Greg McKenna Chemical Engineering
<u>1981</u>	William J. Conover Area of ISQS		Sunanda Mitra Electrical & Computer Engineering
<u>1983</u>	Shelby D. Hunt Area of Marketing	<u>2006</u>	Michael Galyean Animal and Food Sciences
<u>1987</u>	David B. Knaff Chemistry and Biochemistry		James Watkins Architecture
<u>1990</u>	Allan J. Kuethe History	<u>2007</u>	William Casto School of Law
<u>1991</u>	Clyde F. Martin Mathematics & Statistics		Eileen Johnson Museum
	Kishor Mehta—retired/working PT Civil Engineering		W. David Nes Chemistry & Biochemistry
<u>1994</u>	Sankar Chatterjee Museum Science and Geosciences	<u>2008</u>	David Larmour Classical and Modern Languages and Literatures
<u>1996</u>	Clyde Hendrick —retired/working PT Psychology	<u>2010</u>	Linda Allen Mathematics & Statistics
<u>1999</u>	Kenneth Ketner, Director Institute for Studies in Pragmaticism		Sindee Simon Chemical Engineering
<u>2000</u>	Stefan Estreicher Physics		Victoria Sutton Law
<u>2001</u>	Frits Ruymgaart Mathematics & Statistics	<u>2011</u>	Bruce Clarke English
	William Westney School of Music	<u>2012</u>	Thomas Knight Agricultural and Applied Economics
<u>2002</u>	Peter Westfall Area of ISQS	<u>2013</u>	Jiang Hongxing Electrical and Computer Engineering
<u>2003</u>	Loretta Bradley Educational Psychology		
<u>2004</u>	Abdelhafid Gafaiti Classical and Modern Languages and Literatures		

ATTACHMENT

6

**Summary of substantive revisions proposed to:
Chapter 01 - Bylaws
(Item 2, Meeting of the Board/Committee of the Whole)**

Summary of substantive revisions proposed to:

Chapter 01 – Bylaws

Chapter Coordinators = Ben Lock & John Huffaker

[as of: 02-28-2014]

INTRODUCTORY NOTE:

Where needed and appropriate, references and/or provisions relating to the Texas Tech University Health Sciences Center at El Paso are added, since the El Paso campus now is a stand-alone institution.

Substantive revisions include the following:

Responsibilities of the Board:

A state law provision regarding the Board having the legal responsibility of a fiduciary is added. This is not a new statutory requirement, so its addition to the *Regents' Rules* simply emphasizes that this is a fundamental duty of the Board. [see Sec. 01.01.3 on p. 1]

Board chair:

A SACS-required provision regarding the eligibility of a Board member to serve as chairman of the Board is added. Per SACS, the Board chair "must be free of any contractual, employment, or personal or familial financial interest" in a component institution under the Board's control. [see Sec. 01.02.3.a(1) ... p. 4]

Board secretary:

- A statement regarding the mission of the Board secretary and the Office of the Board of Regents is added. [see Sec. 01.02.6.a(3) ... p. 7]
- New provisions are added regarding:
 - the ability of the Board secretary and assistant secretary to function as agents of the Board; and ...
 - a requirement that the Board secretary and assistant secretary maintain information as confidential when so directed by the Board or required by law. (*Note: Similar provisions are added for the General Counsel in Chapter 02.*) [see Sec. 01.02.6.a(5) ... p. 8]

Duties and responsibilities of the standing committees of the Board:

The chairs of the Board's standing committees have reviewed the charge for their respective committees and proposed certain revisions.

- Academic, Clinical & Student Affairs Committee ... see p. 15-16
- Facilities Committee ... see p. 16
- Finance & Administration Committee ... see p. 17-18
- Audit Committee ... see p. 19-20

[Summary of changes to Chapter 01, continued]

Executive Committee:

The Executive Committee would be eliminated, as there is no longer a need to keep this committee on the books. Under the requirements of today's Open Meetings Act, the timeframe and process it takes to convene a meeting of the 5-member Executive Committee is the same as for gathering a quorum of the Board for a special called teleconference meeting. [see former Sec. 01.02.8.d(5) ... p. 20]

Advisory nature of special committees and the IAC:

New provisions would clarify that, unless the Board makes a specific delegation of authority to a special committee or the Investment Advisory Committee (IAC), those committees serve only in an advisory capacity. [see Sec. 01.02.8.e(4) on p. 21 and Sec. 01.02.8.f(2) on p. 22]

Procedure for suspension of the *Regents' Rules*:

A procedure for motions to suspend the *Regents' Rules* is added. The vote required to approve a suspension of the *Rules* would be a simple majority of members who are present at the meeting. [see Sec. 01.02.9.f ... p. 28]

Board members' participation at commencement ceremonies:

Given the new, expanded schedule of commencement ceremonies for TTUHSC and TTUHSC at El Paso, Board members would be "encouraged" (as opposed to "expected") to participate in the commencement ceremonies of the component institutions. [see Sec. 01.06 ... p. 30]

***Regents' Rules* review:**

The schedule for reviews of the *Regents Rules* would be changed from "every four years" to one that is an ongoing process ... which in turn would require the Regents Rules Review Committee to be a special "advisory" committee that's always in place and available to study and recommend changes to the *Regents' Rules* whenever needed and appropriate. [see Sec. 01.07 ... p. 30-31]

Amendments to the *Regents' Rules*:

The Board would be able to adopt amendments to the *Regents' Rules* at special called meetings as well as at regularly-scheduled meetings. [see Sec. 01.08.1 ... p. 31]

ATTACHMENT

7

**Chapter 01 – Bylaws
Proposed: 02-28-2014
(Item 2, Meeting of the Board/Committee of the Whole)**

Chapter 01 -- Bylaws

Dates Approved or Amended:

-- Comprehensive review/amendments

01.01 Responsibilities of the board

01.01.1 The board accepts and adopts the following role and responsibilities assigned by law to the governing boards of public institutions and systems of higher education in the State of Texas. In this regard, the board shall:

- a. preserve the independence of the TTU system and defend its right to manage its own affairs through its chosen administrators and employees;
- b. enhance the public image of all components of the TTU system;
- c. interpret the community to the campus and interpret the campus to the community;
- d. nurture each institution under its governance to the end that each institution achieves its full potential within its role and mission; and
- e. insist on clarity of focus and mission of each institution under its governance.

01.01.2 To fulfill its role and responsibilities, the board shall provide policy direction for and establish goals consistent with the role and mission of each institution under its management and control.

01.01.3 Each member of the board has the legal responsibilities of a fiduciary in the management of funds under the control of institutions subject to the board's control and management.

[This is not a new requirement of state law. (see Sec. 51.352(e), Texas Education Code) It is added here to clarify that the role of a fiduciary is one of the fundamental duties of the members of the governing board.]

01.02 Governance

01.02.1 Authority

- a. The Legislature, in Chapters 109, [109A](#), 110, and in Section 51.352, *Texas Education Code*, has delegated to the Board of Regents of the Texas Tech University System the power and authority to govern, control, and direct the policies of the Texas Tech University System.

[Note: Chapter 109A, *Texas Education Code*, is ASU's enabling statute. The reference above inadvertently was left out when ASU was added to the TTU System in 2007.]

- b. Section 109.001, *Texas Education Code*, states that the board "by rule may delegate a power or duty of the board to an officer, employee, or other agent of the board."
- c. Section 109.23, *Texas Education Code*, requires the board to "provide a chief executive officer, who shall devote his attention to the executive management of the university and who shall be directly accountable to the board for the conduct of the university. The board, when required by law to be the governing body of any other state educational institution or facility, shall also direct the chief executive officer to be directly responsible for the executive management of that other institution or facility." The board has determined that the chancellor is the chief executive officer of the TTU system.
- d. Section 110.01, *Texas Education Code*, states that "Texas Tech University Health Sciences Center is a separate institution and not a department, school, or branch of Texas Tech University but is under the direction, management, and control of the Texas Tech University Board of Regents."
- e. Section 110.02, *Texas Education Code*, states that "The board of regents has the same powers of direction, management, and control over the Health Sciences Center as they exercise over Texas Tech University. However, the board shall act separately and independently on all matters affecting the Health Sciences Center as a separate institution."

- f. Section 110.31, *Texas Education Code*, states that the "Texas Tech University Health Sciences Center at El Paso is a component institution of the Texas Tech University System under the direction, management, and control of the board of regents." This section further states that, TTUHSC-El Paso "is not a department, school, or branch of any other institution in the system."

- g. Section 110.32, *Texas Education Code*, states that the "board of regents has the same powers of direction, management, and control over the Texas Tech University Health Sciences Center at El Paso as the board of regents exercises over the other component institutions of the Texas Tech University System."

- h. Section 109A.001, *Texas Education Code*, states that "The university [*Angelo State University*] is a component institution of the Texas Tech University System and is under the management and control of the board of regents of the Texas Tech University System. The board of regents has the same powers and duties concerning Angelo State University as are conferred on the board by statute concerning Texas Tech University and Texas Tech University Health Sciences Center."

01.02.2 Composition.

- a. Board members. The board is composed of nine members appointed by the governor with the advice and consent of the senate for staggered terms of six years each, the term of three members expiring on January 31 of odd-numbered years.

- b. Student regent. In addition to the nine members of the board, a student regent is appointed by the governor for a one-year term under Sec. 51.355, *Texas Education Code*. By statute, the student regent "is not a member of the board," but the student regent has the same powers and duties as the members of the

board, including the right to attend and participate in meetings of the board, except that the student regent:

- (1) may not vote on any matter before the board or make or second any motion before the board; and
- (2) is not counted in determining whether a quorum exists for a meeting of the board or in determining the outcome of any vote of the board.

01.02.3 Chair of the board

a. Eligibility, election, and vacancy of the chair.

- (1) Eligibility of the chair. In accordance with the core requirements of the Southern Association of Colleges and Schools – Commission on Colleges, to be eligible to serve as chair, a member must be free of any contractual, employment, or personal or familial financial interest in a TTUS component institution.

[This eligibility provision is taken from SACS-COC Core Requirement 2.2 – a mandatory requirement for accreditation by SACS.]

- (2) Election of the chair. From its number, the board shall elect the chair of the board (the "chair") at the first regular or special called meeting in odd-numbered years following the appointment, qualification and confirmation of the new members regularly appointed in odd-numbered years. However, if the new members regularly appointed in odd-numbered years have not been appointed, qualified and confirmed by May 1 in odd-numbered years, the board will proceed with election of board officers on or before May 31. ~~[The chair shall report to and be responsible to the board.]~~ [This sentence is moved to Subsection b (see next page).]

(3) Vacancy of the chair. In case of the chair's death, resignation, permanent disability, removal, or disqualification, the vice chair of the board shall become the chair for the remainder of the term of the chair who vacated the office.

b. Duties. The chair shall report to and be responsible to the board. Duties and responsibilities of the chair include:

- (1) being responsible for board meeting agendas;
- (2) presiding over the board meetings;
- (3) having authority to call special and emergency board meetings;
- (4) appointing the board's standing and special committees; and
- (5) conducting or causing to be conducted an appropriate orientation for new board members as soon as possible after appointment and delivering to each a copy of the current *Regents' Rules* [~~annual financial~~] and such other reports [7] and [organization charts of] information regarding the TTU system as is deemed appropriate by the chair.

01.02.4 Vice chair of the board.

a. Election of a vice chair. From its number, the board shall elect the vice chair of the board (the "vice chair") when the chair is elected.

b. Temporary absence or disability of the chair. In case of the chair's temporary absence or disability, the vice chair shall perform the chair's duties until the chair shall resume such office.

- c. [Vacancy of the chair.](#) In case of the chair's death, permanent disability, resignation, removal, or disqualification, the vice chair becomes the chair for the remainder of the term of the vacated office.
- d. [Vacancy of the vice chair.](#) Upon the vice chair's death, resignation, disability, removal, or midterm ascension to the position of chair, the board shall elect a successor as soon as practicable.

01.02.5 Taking office. The chair and the vice chair shall take office immediately upon their election and hold office until a successor is duly elected.

01.02.6 Secretary of the board

- a. [Appointment, compensation, and reporting of the secretary and assistant secretary of the board.](#)

(1) Appointment of the secretary. The board shall appoint a secretary of the board (the "secretary") who is not a member of the board. [Upon the secretary's death, resignation, permanent disability, removal, or disqualification, the board shall appoint a successor as soon as practicable.](#) [This sentence is moved here from the new Subsection a(3) on the next page.]

(2) [Compensation of and staff assistance for the secretary.](#) [~~and who~~] [The secretary](#) shall receive such compensation and have such staff assistance as the board may fix.

- (3) Mission and reporting of the secretary. The mission of the secretary and the Office of the Board of Regents is to support the work of the board in the fulfillment of the board's duties and responsibilities. To ensure independence and objectivity, the ~~The~~ secretary shall report and be responsible directly to the board and serve at its pleasure. The secretary is the principal officer to the board in the administration of the responsibilities of the Office of the Board of Regents and the principal staff officer to each member of the board in the discharge of the board member's responsibilities. ~~Upon the secretary's death, resignation, permanent disability, removal, or disqualification, the board shall appoint a successor as soon as practicable.]~~
- (4) Assistant secretary. The board also may appoint an assistant secretary who shall perform duties as delegated by the secretary and who, when the secretary's office is vacant, or if the secretary is absent, incapacitated, or for any reason unable to perform the duties of the office, shall have the same duties and authority as the secretary. If the secretary is absent, incapacitated, or for any reason unable to perform the duties of the office and an assistant secretary has not been appointed previously, the chair may appoint an assistant secretary who shall have the same duties and authority as the secretary.

(5) Agents of the board; confidentiality. As agents of the board, the actions of the secretary and assistant secretary in the fulfillment of their duties to the board shall not be impaired by any person or entity external to the board. Any information that has been designated as confidential by the board, a board member, state or federal law, or other legal mandate, as well as any information for which the secretary or assistant secretary should have a reasonable expectation of confidentiality, shall be maintained as confidential by the secretary and assistant secretary and be protected from disclosure to any person who is not a member of the board or who has not been authorized by the board to receive the information.

b. Duties and functions of the secretary

(1) Meetings. The secretary shall make preparations for all board and committee meetings including such notices as law requires. The secretary shall make preparations for and submit required notices related to executive sessions of the board in conjunction with the general counsel of the TTU system.

(2) Agendas. Under the direction of and upon approval by the chair of the board or the chair of a standing committee, the secretary shall, with the cooperation of the principal officers of the TTU system, prepare and distribute the agenda for all board and committee meetings.

[The following provisions regarding the content of or mechanics for distribution of agendas for Board meetings are moved to Sec. 01.02.7.d on p. 11-13 so they will be in the section on "Board meetings."]

~~[Where an agenda item requires a commitment of funds, a statement by the appropriate chief fiscal officer shall be included within the item indicating the source and avail-~~

~~ability of funds. Except in the case of emergency meetings, not less than two weeks prior to the day of regular meetings and not less than 24 hours prior to special called meetings, the secretary of the board shall deliver to each member copies of all proposed items for board consideration, including an agenda table of contents ("the regular agenda"). Urgent and emergency items may be added after this time but are subject to the recommendation of the chancellor to the chair and the chair's approval. Subject to applicable state open meeting requirements, including advance posting requirements, such items shall be added to the regular agenda. Items to be brought before the board will be separated into three categories:~~

- ~~(a) items deemed to require individual consideration and approval by the board will be in the regular agenda;~~
- ~~(b) items deemed routine will be submitted for board approval in the consent agenda; and~~
- ~~(c) material required by a provision of the *Regents' Rules* to be furnished to the board as information will be listed in the information agenda.~~

~~The consent agenda (usually accompanied by the information agenda) will be delivered to the regents at the same time as the regular agenda. Any regent may require that an item in the consent agenda be moved to the regular agenda.~~

- ~~(3) Deferrals. Except when emergency proposals (as defined by the chair of the board or the secretary of the board) are involved, all proposals not submitted to the secretary within the time prescribed in Sec. 01.02.6.b(2) shall be deferred until the next board meeting.]~~

- (3) ~~(4)~~ Minutes. The secretary shall attend all [open] board and committee meetings, record, prepare, and index the official minutes of the meetings of the board and its committees and distribute copies thereof, including the

annual budgets, to members of the board, the chancellor, and to such other individuals as designated by the chancellor. The official minutes shall be kept in the Office of the Board of Regents and certified excerpts from these minutes shall be prepared and distributed by the secretary when requested.

(4) ~~(5)~~ Documents. The secretary shall keep on file in the Office of the Board of Regents all official documents, correspondence, and proceedings of the board and its committees, including audio recordings.

(5) ~~(6)~~ Seals. The secretary is the custodian of the official seal of the TTU system (see Section 12.06, *Regents' Rules*). The secretary shall affix such appropriate official seal to, and attest, all documents executed in the name of the board and requiring attestation. The board may authorize by resolution certain other officials of the TTU system to affix seals and to attest to specific documents.

(6) ~~(7)~~ Official *Regents' Rules*. The secretary shall ~~keep~~ maintain the official copy of the *Regents' Rules*. Said copy shall contain all current rules, ~~and~~ regulations and policies (including any Board Policy Statements) promulgated by the board. Any changes or additions thereto shall be entered in the official copy by the secretary and such changes and additions shall be furnished to board members and such principal officers of the TTU system as ~~the chancellor designates~~ designated in Sections 00.01.14 through 00.01.21, *Regents' Rules*.

[Note: "principal officers of the TTU system" designated in Sections 00.01.14–00.01.21 (*section numbers per the proposed amendments to Section 00.01*) include: the Chancellor, other executive personnel of the System Administration, the institutional Presidents and their staff, and institutional provosts and vice presidents]

(7) ~~(8)~~ Reports. The secretary as directed by the board shall prepare and distribute reports and communications.

~~(9)~~ (8) Other duties. The secretary shall perform such functions and have such other duties and responsibilities as the board may assign, and shall perform usual and customary tasks to assist the board in the discharge of its official duties.

01.02.7 Board meetings

a. Regular meetings. The board shall hold a minimum of four regular board meetings each year on dates and times to be chosen by the chair, in consultation with the other members of the board. The board shall hold regular meetings at such locations as the chair, in consultation with the other members of the board, may determine before the meeting.

b. Special meetings.

(1) Special meeting called by the chair. The chair may call a special board meeting for special or emergency purposes.

(2) Special meeting called by the board. A special board meeting also may be called by ~~or at the~~ a joint written ~~request~~ notice of no less than five board members that is distributed to all members of the board at least five days prior to the date of the special meeting. ~~[The board shall set the meeting time and place in its usual manner; however, in the absence of majority agreement, the chair shall set the meeting time and place.]~~

(3) Special meeting by teleconference. If the special meeting is to be conducted by teleconference call, the location specified must be the Board Meeting Room at the TTU system offices.

(4) Time and place of a special meeting. The time and place of a special meeting shall be set by the chair, in consultation with the other members of the board. The chair shall take into account the schedule of each board member in order to ensure maximum attendance. The chair shall notify or cause to be notified each member in an expeditious manner of the meeting time and place. For a special meeting called by the board rather than by the chair, the meeting time and place shall be determined by a majority of the board.

~~[In a special meeting, the board shall only consider the business described in the meeting notice or any supplemental notice.]~~ [Due to the state's open meeting law posting requirements and agenda restrictions, this provision is not necessary.]

c. Notices. Notices for all board or committee meetings shall conform to the requirements of state law.

[The following provisions regarding agendas for Board meetings are moved here from Sec. 01.02.6.b(2) on p. 7-8so they will be in the section on Board meetings rather than the section on the Board secretary. In some cases, these provisions are restructured to place them in a more logical order, but the content is not substantively changed.]

d. Agendas for board meetings.

(1) Advance distribution to board members. Except in the case of emergency meetings, not less than two weeks prior to the day of regular meetings and not less than 24 hours prior to special called meetings, the secretary of the board shall deliver to each member copies of all proposed items for board consideration. The consent agenda and the information agenda will be delivered to the regents at the same time as the regular agenda.

- (2) Additions to a board meeting agenda; deferrals.
 - (a) Additions. Urgent and emergency items may be added after a board meeting agenda has been distributed to the board members per Subdivision (d)(1) herein, but such additions are subject to the recommendation of the chancellor to the chair and the chair's approval. Subject to applicable state open meeting requirements, including advance posting requirements, such items shall be added to the regular agenda upon approval by the chair.
 - (b) Deferrals. Except when emergency proposals (as defined by the chair of the board or the secretary of the board) are involved, all proposals not submitted to the secretary within the time prescribed in this subsection shall be deferred until the next board meeting.
- (3) Statement of source of funds. Where an agenda item requires a commitment of funds, a statement by the appropriate chief fiscal officer shall be included within the item indicating the source and availability of funds.
- (4) Regular, consent and information agenda items. Items to be brought before the board will be separated into three categories:
 - (a) Regular agenda items. Items deemed to require individual consideration and approval by the board

will be in the regular agenda of a standing committee of the board or the Committee of the Whole, as appropriate.

(b) Consent agenda items. Items deemed routine will be submitted for board approval in the consent agenda. Any regent may require that an item in the consent agenda be moved to the regular agenda.

(c) Information agenda items. Material required by a provision of the *Regents' Rules* to be furnished to the board as information will be listed in the information agenda.

01.02.8 Board committees

- a. Appointments to standing committees. The chair, ~~shortly~~ as soon as is practicable after election, shall appoint all standing committee members and shall designate a ~~committee~~ chair of each standing committee, except as otherwise provided herein. All other board members shall be *ex officio* members of each standing committee.
- b. Authority of standing committees. The authority of standing committees of the board shall be subject to action of the board. Unless a specific delegation of authority has been made by the board in advance, recommendations of a standing committee must be approved by the board before such recommendations shall become effective.
- c. Times and places of committee meetings. The committee chair, in consultation with the chair, shall set the times and places of each special meeting of a standing or special committee.

d. Standing committees

[NOTE: Each standing committee chair was asked to review the current charge for their committee and propose any changes the chair deemed appropriate. Unless otherwise noted, the revisions to the committee charges are the ones proposed by those committee chairs.]

- (1) Academic, Clinical, and Student Affairs Committee. The Academic, Clinical, and Student Affairs Committee shall consist of three members. In addition to the three members appointed by the chair, the student regent shall be a participant in the deliberations of this committee. This committee shall consider, summarize facts, recommend actions, and present alternatives to the board as necessary for the following:

[The phrase added above is moved here from the end of this subsection.]

- (a) the educational mission and academic programs of the various schools, colleges, and units within the TTU system, with an emphasis on academic rigor and program content;
- (b) the clinical programs (both patient care services and clinical investigation) within ~~[TTUHSC]~~ the TTU system's health sciences centers and their relationship to the educational mission and academic programs;
- (c) student affairs within the component institutions;
- (d) faculty affairs within the component institutions;
- (e) strategic planning processes and initiatives for the TTU system;
- (f) ~~(e)~~ current and long-range governmental actions that affect the TTU system and make recommendations that will ensure, when necessary, continuous

and prompt action by the TTU system on such matters;

(g) ~~(f)~~ research programs within component institutions and their relationship to the undergraduate and graduate programs;

(h) ~~(g)~~ policies essential to the growth and development of research and its relationship to the commercialization initiatives of the TTU system;

(i) ~~(h)~~ research incentives for faculty;

(j) ~~(i)~~ fund-raising programs and investments to strengthen research; and

(k) ~~(j)~~ contracts for academic, clinical, or student affairs agreements that require board action.

~~[The committee shall summarize facts, recommend actions and present alternatives to the board as necessary.]~~

- (2) Facilities Committee. The Facilities Committee shall consist of three members. This committee shall consider, summarize facts, recommend actions, and present alternatives to the board as necessary for the following:

[The phrase added above is moved here from the end of this subsection.]

(a) use and occupancy of TTU system property; ~~and~~

(b) planning of, location of, receiving bids or proposals for, and awarding contracts for the construction, maintenance, and repair of buildings, utilities, and other physical facilities of the TTU system; and

(c) campus beautification and public art initiatives of the TTU system.

~~[The committee shall summarize facts, recommend actions and present alternatives to the board as necessary.]~~

- (3) Finance and Administration Committee. The Finance and Administration Committee shall consist of three members. This committee shall consider, summarize facts, recommend actions, and present alternatives to the board as necessary for the following:

[The phrase added above is moved here from the end of this subsection.]

- (a) the budgeting process;
- (b) all requests for budgets covering expenditures of educational and general funds, designated funds, ~~and~~ auxiliary programs, and funding from external sources (including public/private partnerships);
- (c) handling of TTU system funds and depositories whether from appropriated or non-appropriated funds;
- (d) the pursuit, negotiation, and closing of outside financing, including the issuance of notes, bonds, securities of any type, and agreements of any description that result in indebtedness by the TTU system;
- (e) ~~(d)~~ all administrative matters relating to affirmative action and equal employment opportunity, central computing services, communication services, purchasing and contracting, office services, financial administration of grants, accounting services, personnel, budgeting, cash management, investments, ~~water~~ utility management, police operations, and all parts thereof;

- (f) ~~(e)~~ contracts and easements related to business or administrative functions that require board action;
- (g) ~~(f)~~ the annual review of all actual expenditures as well as the detailed review of the expenditures of the Office of the Chancellor and the Offices of the Presidents~~;~~, with the board ~~[will approve]~~ approving all budgets; ~~[and]~~
- (h) ~~(e)~~ being informed of all appropriations requests and providing coordination of issues related to legislative appropriations;
- (i) ~~(g)~~ review of all private fund-raising activities for the TTU system and make recommendations that will ensure coordination of all private fundraising functions ~~[including any funds used to supplement the salary of any TTU system employee]; [and]~~
- [The clause above is deleted from Chapter 01 because it is now addressed in Chapter 06.]
- (j) ~~(h)~~ all administrative matters relating to physical plant operations and traffic and parking; and ~~[-]~~
- (k) review and approval of all quasi-endowments that exceed \$250,000.

~~[The committee shall summarize facts, recommend actions and present alternatives to the board as necessary.]~~

- (4) Audit Committee. The Audit Committee shall have three members. The committee shall ~~[assure]~~ ensure that the board maintains direct access to both internal and external audits of the TTU system. The Audit Committee Charter approved by the board shall provide ~~[recommend to the board]~~ guidelines for the operation of the committee and the auditing functions throughout the TTU system; however, audits of the Office of the Board of Regents shall be the responsibility of the board. The chief audit executive shall be responsible to the board through the Audit Committee. The committee shall consider, summarize facts, recommend actions, and present alternatives to the board as necessary for the following:

[The phrase added immediately above is moved here from the end of this subsection.]

- (a) provide oversight of ~~[the]~~ internal and external ~~[audits]~~ audit activities throughout the TTU system;
- (b) make recommendations for the selection of external auditors;
- (c) ~~[review the scope of audits]~~ recommend for approval by the board the appointment, termination or re-assignment, compensation, and evaluation of the chief audit executive;
- (d) ~~[provide guidance for the chief audit executive on risk assessment and audit plans];~~
- ~~(e)]~~ review the findings of all internal and external auditors;
- (e) [(f)] review ~~[and rate]~~ the system-wide risk assessment evaluations and plans to address the ~~[identified]~~ significant ~~[risk functions]~~ risks identified;
[and]

- (f) ~~(g)~~ on or before August 31 of each year, present to the board for approval an Audit Committee-approved annual audit plan;
- (g) ensure that adequate resources in terms of staff and budget are provided to enable the Office of Audit Services to perform its responsibilities effectively;
and
- (h) provide the board with relevant information obtained from ongoing reviews of auditing, compliance, and governance activities and reports of internal and external auditors, including from the State Auditor's Office.

~~[The committee shall summarize facts, recommend actions and present alternatives to the board as necessary.]~~

~~[(5) Executive committee. The executive committee shall consist of the chair and vice chair of the board and the chairs of the following standing committees: Finance and Administration; Academic, Clinical and Student Affairs; and Facilities. The committee shall consider items requiring action at such times as board action is not possible. Approval of an action by the Executive Committee shall require at least four votes in the affirmative.]~~

[There no longer is a need to keep a 5-member executive committee on the books because of:

- the open meetings law requirement that any action taken by a quorum of the Board (i.e., 5 or more Board members) must be posted at least 72 hours in advance and be conducted as an open meeting; and
- the ability to gather a quorum of the Board by teleconference for a special called meeting on 72 hours notice.]

e. Special committees.

- (1) [Appointment by the chair.](#) During a board meeting, or at any time between board meetings if at least 48 hours advance notice is provided to all members, the chair may appoint special committees, name the members thereof, and designate the committee chair.
- (2) [Appointment by the board.](#) In addition, during a board meeting, six or more members, by vote, may appoint special committees, name the members thereof, and designate the committee chair.
- (3) [Duration and duties of a special committee.](#) Any special committee so created shall be temporary (except the Investment Advisory Committee) and shall be charged in writing as to its particular duties and functions and the period in which it is to serve. Action by the chair or at least six members will be required to extend this period.
- (4) [Advisory status of special committees. Unless a special committee is given a specific delegation of authority by the board to take action on behalf of the board, a special committee shall serve only in an advisory capacity. Any recommendation of a special committee that requires action by the board shall be submitted to the standing committee of the board that has responsibility for the matter or to the board's Committee of the Whole, as appropriate, for a determination of whether the proposed action should be adopted by the board.](#)

f. Investment Advisory Committee.

- (1) Duties and responsibilities. The Investment Advisory Committee (IAC) is a special committee of indefinite du-

ration as authorized by the board and is charged with the following duties and responsibilities:

- (a) to meet quarterly with investment counsel, investment managers and appropriate officers and staff for the purpose of reviewing and consulting with these parties and advising the board and the board of directors of the Texas Tech Foundation (Foundation board) on asset allocation, investment policy and investment results; and
 - (b) for identifying fund managers, monitoring the performance of investments, evaluating fund manager performance and developing and recommending an asset allocation plan for the Long-Term Investment Fund, and for reviewing the investments and performance of the Short and Intermediate Term Investment Fund.
- (2) Advisory status of IAC. Unless the IAC is given a specific delegation of authority by the board to take action on behalf of the board, the IAC shall serve only in an advisory capacity. Any recommendation of the IAC that requires action by the board shall be submitted to the standing committee of the board that has responsibility for the matter or to the board's Committee of the Whole, as appropriate, for a determination of whether the proposed action should be adopted by the board.
- (3) ~~(2)~~ Terms of office. Members of the IAC serve at the will of the board and are appointed to four-year staggered terms that begin on a February 1. Appointment of members of the IAC shall be made upon the expiration of a member's term or upon a vacancy in the membership of the committee. No member of the IAC shall serve more than two consecutive four-year terms on the IAC.

(4) [(3)] Membership. The IAC shall be comprised of nine members, as follows:

- (a) Three members appointed by the chair of the board, at least one of which shall be a current member of the board and with all board members appointed to the IAC serving at the will of the board chair; and
- (b) One member appointed by the Foundation board; and
- (c) Five members appointed by the chancellor, of which two are to be recommended by the Foundation board subject to the following provisions:
 - i. the members recommended by the Foundation board are subject to approval by the chancellor and the board; and
 - ii. any disagreement regarding these two [Foundation board](#) appointees shall be resolved through consultation between the chancellor and representatives of the board and the Foundation board.
- (d) From the members of the IAC, the chair of the board shall appoint the chair of the IAC.

(5) [(4)] Qualifications.

- (a) All members appointed to the IAC shall possess the necessary skills and knowledge in the areas of finance, accounting and investments in order to substantively participate in the [deliberations and recommendations](#) of the IAC, and each has the duty to actively participate in all meetings and other activities of the IAC in order to fulfill their obligations to their respective boards; and

- (b) No member shall have any financial interest in any organization providing investment services to the TTU system.

(6) ~~(5)~~ Joint investment policy. Foundation assets and TTU system assets shall be commingled for investment in order to realize the benefits of higher long-term investment returns, greater portfolio diversity and lower investment management costs. Accordingly, the board and the Foundation board shall jointly develop and adopt a joint investment policy to be implemented by the Foundation and TTU system, and be responsible for the investment of the assets of the Foundation and TTU system, with the earnings credited to the corresponding entity.

01.02.9 Procedures

- a. Rules of order. When in session, the board shall follow the procedures set forth in *Robert's Rules of Order* unless the procedures conflict with the *Regents' Rules*.
- b. Executive sessions
 - (1) Only board members may attend executive sessions unless the board invites other persons to attend.
 - (2) The board shall conduct all executive sessions in accordance with the applicable provisions of Chapter 551, *Texas Government Code*.
 - (3) In accordance with Sec. 01.02.6.b(1), the agenda for all executive sessions shall be approved in advance by the chair and, except in cases of an emergency meeting, shall be delivered to each board member not less than seven days prior to the day of the meeting at which the executive session is to take place. Subject to applicable state open meeting requirements, including advance posting requirements, urgent and emergency items may be add-

ed to the [executive session](#) agenda after the required delivery date but are subject to the chair's approval.

c. Board communications

- (1) It is not only the right but also the duty of each board member to be fully informed on all matters that influence or have impact on his or her obligations as a board member.
- (2) Requests to appear before the board
 - (a) During a meeting of the board, members of the public may be allowed to make presentations for a reasonable amount of time, as determined by the chair, on any topic listed on the agenda for a board or committee meeting that is open to the public. Presentations or discussions on topics not listed on the agenda [for an open session](#) shall not be allowed. ~~[The board shall not serve as a hearing or appellate body for individual complaints, grievances, or appeals of students, faculty or staff members except as specifically provided or required in the Regents' Rules. Individual complaints, grievances, or appeals of students, faculty or staff members are to be addressed through the grievance procedures applicable to the appropriate TTU system component, and a decision at the final level of review or appeal within the TTU system administration will constitute final action on the grievance.]~~ [This provision is moved to Subdivision c, below.]
 - (b) A request to appear before the board must be filed with the chair ~~[]~~ [or](#) the secretary ~~[]~~ ~~or the chancellor~~ not less than 48 hours in advance of the board meeting and must state the purpose of such ap-

pearance. The chair shall approve or disapprove such a request.

- (c) The board shall not serve as a hearing or appellate body for individual complaints, grievances, or appeals of students, faculty or staff members except as specifically provided or required in the *Regents' Rules*. Individual complaints, grievances, or appeals of students, faculty or staff members are to be addressed through the grievance procedures applicable to the appropriate TTU system component, and a decision at the final level of review or appeal within the administration of the TTU system will constitute final action on the grievance.
- (3) The board hereby reserves to itself the authority and responsibility for determining matters of policy ~~and~~ and any official statements concerning ~~any~~ any political or other subjects of ~~an obviously~~ a controversial nature that represent an official policy, statement, or position of the board and/or the TTU system. Accordingly:
- (a) Statements, policies, and positions by the board on such matters shall be made by the board through the chair or the chancellor.
 - (b) No board member, officer, ~~or~~ or faculty or staff member shall have the authority to speak for or issue any public statement on policy for or on behalf of the board or the TTU system on such matters, without the board's prior approval.

- (c) Any statement on emergency matters shall be cleared by the chancellor in coordination with the chair.
 - (d) This policy declaration is intended to set forth the position, authority, and responsibility of the board on these matters without suggesting any limitation on the rights of persons to speak in their individual and personal capacities.
- (4) A president of a component institution, the vice chancellor and chief financial officer, or the vice chancellor and general counsel should bring any matter to the board that, in that officer's opinion, could have a material impact on the TTU system or when one of these officers has a professional duty or obligation to disclose the matter to the board.

d. Quorum

- (1) Five members or more present ~~[in person]~~ shall constitute a quorum.
- (2) In accordance with Section 551.127, *Texas Government Code* (as amended or modified), a member may participate in an open or closed meeting via videoconference when ~~[a majority of the quorum of the board]~~ the member presiding over the meeting is physically present at one location of the meeting ~~[place]~~ that is open to the public during the open portions of the meeting, provided the meeting is legally posted in advance as a videoconference meeting. [Change is required by 2013 legislative amendments to Sec. 551.127, *Texas Government Code*.]

(3) The board may participate in an open or closed meeting via telephone conference call in accordance with Section 551.121, *Texas Government Code* (as amended or modified), only if the meeting is legally posted in advance as a telephone conference meeting and:

(a) the meeting is a special called meeting and immediate action is required; and

(b) the convening at one location of a quorum of the board is difficult or impossible.

e. Board members entitled to vote. Board members participating via teleconference or videoconference in a board meeting legally posted and conducted as a teleconference or videoconference meeting shall be entitled to vote.

f. Suspension of the *Regents' Rules*. To be approved, a motion to suspend any provision of the *Regents' Rules* must be approved by the affirmative vote of a majority of the members present.

[There currently is nothing in the *Regents' Rules* that specifies a process by which a provision of the *Regents' Rules* may be suspended by the Board.]

01.02.10 Board and committee meetings attendance. Recognizing the broad authority and responsibility vested in the board for the governance and operation of the TTU system, there is a specific expectation that each member of the board understands and recognizes the importance of his or her attendance at board and committee meetings and will make a sincere commitment to attend as many of these meetings as possible.

01.03 **Board conduct.** Each member of the board shall perform his or her activities on behalf of the TTU system in conformity with:

a. the ethics policy set out in Section 03.01, *Regents' Rules*;

b. the conflict of interest policy for board members in Section 03.03, *Regents' Rules*;

- c. the provisions of Chapter 09, *Regents' Rules*, [and the Investment Policy Statements for the Long Term Investment Fund and the Short/Intermediate Term Investment Fund](#) relating to conflicts of interest and investments; and
 - d. applicable state laws related to standards of conduct and conflicts of interest.
- 01.04 **New chancellor selection.** When there is a vacancy in the position of chancellor, the board shall establish a selection process and shall select a chancellor. The process shall result in a limited slate of unranked candidates for the position to be delivered to the full board for its deliberation.
- 01.05 **Board members service on internal support and advisory groups.**
- 01.05.1 Service in a non-voting capacity required.
 - a. Board members [~~are~~] frequently [are](#) asked to serve on support and advisory groups for various units of the TTU system. Such service, when requested because of unique contributions [~~which~~] [that](#) can be made because of the regents' capabilities related to the work of the group, can make important contributions to the efforts of the TTU system. It is noted, however, that casting a vote in such groups may place a member of the board in the position of casting a vote with the support group and again when the matter is presented to the board.
 - b. This eventuality should be avoided, and the board therefore restricts any membership on such groups to non-voting participation, and any exception to this policy must be approved by the board.
 - 01.05.2 [~~Service~~] [Exception for service](#) on a committee for an academic or administrative search. A board member may serve as a voting participant of an academic or administrative search or search advisory committee without the need for an exception being granted under Section 01.05.1, *Regents' Rules*.

01.06 **Board seating at commencement.** Board members are ~~[expected]~~ encouraged to participate in the commencement exercises of the component institutions. A seat on the platform will be provided for each member who attends.

[“Expected” is changed to “encouraged” as an adjustment to TTUHSC and TTUHSC at El Paso switching to separate/independent graduation ceremonies for each of their schools. For example, in 2014, there will be 5 separate commencement dates for health-related schools, with 7 separate commencement ceremonies that are held in 2 cities (Lubbock and El Paso), and with 4 different locations for the Lubbock ceremonies. There may be times when it is difficult to have a regent at every one of those ceremonies as well as at TTU’s 5 days of graduation ceremonies and ASU’s 2 days of ceremonies each year.]

[NOTE: The changes below regarding reviews of the *Regents’ Rules* would:

1. make it a requirement that a Rules Committee be in place on an ongoing basis, rather than being required on an every-4th-year basis;
2. result in the appointment a new Rules Committee each time there is an election of a Board chair; and
3. clarify that the Rules Committee serves only in an advisory capacity.]

01.07 **Regents’ Rules review.** ~~[In 2011 and in each fourth year thereafter, the]~~

01.07.1 The chair shall appoint ~~[an ad hoc]~~ a special committee – a Regents’ Rules Review Committee – to:

- a. on an as-needed basis, review the *Regents’ Rules* and any Board Policy Statements that have been adopted by the board;
and
- b. ~~[recommend]~~ advise the board of such updates and revisions as may be necessary or appropriate.

01.07.2 Each *Regents’ Rules* Review Committee shall serve for a fixed period of time, as designated initially or as extended by the chair.

01.07.3 The *Regents’ Rules* Review Committee shall serve in an advisory capacity only. Whenever the *Regents’ Rules* Review Committee determines that one or more revisions to the *Regents’ Rules* or a Board Policy Statement may be needed, the proposed changes are to be submitted to the standing committee of the board that has respon-

sibility for the matter or to the board's Committee of the Whole, as appropriate, for a determination of whether the proposed revisions should be adopted by the board.

01.08 **Amendments.**

01.08.1 Vote required for adoption. The *Regents' Rules* may be [~~added to~~ ~~or~~] amended only by the affirmative vote of at least five members of the board which is conducted at a regular or special called meeting.

01.08.2 Additional requirements for amendments to Chapter 01 (Bylaws). Any proposed [~~addition or~~] amendment to Chapter 01 of these *Regents' Rules* must be filed in writing with the secretary [~~of the board~~] not less than 30 days before the meeting at which the [~~addition or~~] amendment is to be considered [~~and it~~]. It shall be the duty of the secretary [~~forthwith~~] to [~~mail~~] deliver forthwith a copy of such proposed [~~addition or~~] amendment to every member of the board.

ATTACHMENT

8

**Summary of substantive revisions proposed to:
Chapter 02 - Administration
(Item 2, Meeting of the Board/Committee of the Whole)**

Summary of substantive revisions proposed to: Chapter 02 – Administration

Chapter Coordinators = Ben Lock & John Huffaker

[as of: 2-28-2014]

Responsibilities of the System Administration ... service provision:

The System Administration, under the direction of the Chancellor, provides system-wide leadership and coordination of various functions and priorities. Such functions/priorities currently include coordination and oversight of "cultural diversity" and "customer-oriented instruction." As these are better coordinated at the institutional level, these functions/priorities are reassigned to the respective Presidents. [see [Sec. 02.02.3.a on p. 3 ... and Sec. 02.04.2.c-d on p. 12](#)]

President searches:

When there is a vacancy in a President position, current policy requires that a new President be appointed by a vote of the Board, with the Chancellor providing a recommendation to the Board. Currently, there are no provisions that govern the process by which a search for a President is conducted. The following provisions would guide that process.

-- If the Board determines that a presidential search committee is needed, the Board appoints the members of the search committee and determines the process to be used by that committee ... with the Chancellor being able to make recommendations to the Board about the use, members, and process of such a search committee.

But, the Board also has the option to delegate to the Chancellor the authority to establish a presidential search committee and determine the process to be used by that committee.

-- The recommendations of a presidential search committee must be submitted to the Board, with a copy to the Chancellor.

-- With a recommendation from the Chancellor, the Board determines which, if any, of the candidates recommended by the search committee will be interviewed by the Board and the Chancellor prior to the Board naming a finalist.

[see [Sec. 02.03.1.b\(4\) on p. 5-6](#)]

Notification to the Board for positions appointed by the Chancellor and President:

Currently, the Board receives prior notification when certain executive and/or administrative positions are filled by the appointment of the Chancellor or a President (such as vice chancellors, vice presidents, provosts, deans, athletic directors and head coaches).

Provisions are added that also require prior notice to the Board when the Chancellor or a President terminates or reassigns a person who holds one of those positions.

[see [Sec. 02.03.2.a on p. 7 ... and Sec. 02.03.3.a on p. 9](#)]

General Counsel:

-- The duties of the General Counsel are enhanced to clarify that the General Counsel:

- represents the System Administration and each component institution in all legal matters; and ...
- when approved by the Attorney General, the General Counsel retains and manages any outside counsel that provides services to the System Administration or the component institutions. [see [Sec. 02.03.2.b\(2\) on p. 7](#)]

[General Counsel ... continued on next page]

[Summary of changes to Chapter 02, continued]

- Provisions are added regarding the General Counsel being governed by the Texas Rules of Ethics when providing legal services or advice to the Board or individual members of the Board. As such, when the Board or individual members of the Board seek legal services from the General Counsel, they will be deemed "client representatives," and they may expect the confidentiality that the rules provide for such individuals. (see *Texas Rules of Ethics rule 1.05*) [see [Sec. 02.03.2.b\(3\)](#) on p. 8]

Employment contracts for certain appointees of the Chancellor:

A new general provision that governs the approval of employment agreements is established in Chapter 07 (see *Sec. 07.12.2.f*). Accordingly, the provisions in Chapter 02 regarding approval of employment contracts for certain appointees of the Chancellor (*which include vice chancellors and other members of the System Administration executive team*) are tied to and governed by the new guidelines in Chapter 07 when specified thresholds are exceeded. [see [Sec. 02.03.2.c](#) on p. 8]

Presidents' appointments:

SELECTION: The Chancellor shall provide input when the President is considering the appointment, termination or reassignment of certain institutional officers. Then, after a decision is reached, the President must give the Chancellor and Board advance notice before an announcement is made regarding the position. [see [Sec. 02.03.3.a](#) on p. 9]

CONTRACT: A new Chapter 07 provision that governs approval of employment contracts will require a contract for one of these institutional officers to be approved by the Board if certain thresholds are exceeded. Otherwise, the President must have the input of the Chancellor before the President approves a contract for such an officer. [see [Sec. 02.03.3.b](#) on p. 9]

Performance evaluations of Presidents:

Current policy has the Board conducting the annual performance evaluations of each President, with a recommendation from the Chancellor being provided to the Board. Under the proposed change, the Chancellor would evaluate each President ... but before the evaluation is shared with a President, the Chancellor and the Board would discuss and come to an agreement on the evaluation. [see [02.03.4.b](#) on p. 10]

Salaries of certain System Administration and institutional officers:

- Currently when the Chancellor sets the salary of a vice chancellor or other System Administration officer, the Board is to be given prior notice of what that officer's salary will be. Instead of giving the Board prior notice each time the salary of a new officer is appointed or a current officer's salary is increased or decreased, the Chancellor would present to the Board an annual report of the salaries for all such officers at the time that operating budgets are approved by the Board. [see [Sec. 02.03.6](#) on p. 11]
- Currently, the salaries of certain positions appointed by a President – including a vice president, provost, vice provost or dean – are set by the President, with prior approval by the Chancellor and prior notice to the Board. Instead, the salaries of these institutional officers would be set by the President, with the President presenting to the Chancellor and the Board an annual report of the salaries for all such officers at the time that operating budgets are approved by the Board. [see [Sec. 02.03.8](#) on p. 11]

ATTACHMENT

9

**Chapter 02 – Administration
Proposed 2-28-2014
(Item 2, Meeting of the Board/Committee of the Whole)**

Chapter 02 -- Administration

Dates Approved or Amended:

-- Comprehensive review/amendments.....

-
- 02.01 **Chancellor.** The chancellor is responsible for the management and operation of the TTU system administration and component institutions under the direction of the board. The chancellor is the chief executive officer of the TTU system. The chancellor reports to and is responsible to the board. ~~[The]~~ Except as specifically provided otherwise in the *Regents' Rules*, the chancellor has direct responsibility for all aspects of TTU system operations.
- 02.01.1 **Appointment.** The chancellor shall be elected by the affirmative vote of a majority of the regents in office.
- 02.01.2 **Tenure.** The chancellor holds office subject to the pleasure of the board and any employment contract that may be entered into between the chancellor and the TTU system in accordance with state law.
- 02.01.3 **Primary duties.** The chancellor, where specifically delegated by the board, is authorized to exercise the powers and authorities of the board in the governance of the TTU system. The chancellor will act through the appropriate officers of the TTU system regarding the matters delegated to them. The chancellor, however, shall not be precluded from direct participation and communication with any TTU system officers, staff, faculty members, or groups. The major duties of the chancellor include:
- a. advising and counseling with the board with respect to the policies, purposes, and goals of the TTU system; acting as executive agent of the board in implementing its policies and a system of internal controls; representing the TTU system in all other respects as deemed appropriate to carry out such policies, purposes and goals, and interpreting and articulating the TTU system's academic, administrative and developmental policies, programs, needs and concerns to the general public, and to other constituencies at the community, state, regional, and national levels;

- b. preparing a recommendation to the board for a strategic plan with clear, quantifiable (where applicable) expectations for the TTU system, revised periodically, setting forth recommendations for capital expenditures, and the allocation of other financial resources;
- c. working actively at private fundraising to ensure that each component institution has endowments and capital contributions that will number it among the top tier of its peer institutions;
- d. ensuring sound fiscal policies for the TTU system;
- e. directing the management and administration of the TTU system;
- f. presenting to the board appointments for certain officers of the TTU system as provided in Sections 02.03.2 and 02.03.3, *Regents' Rules*;
- g. periodically reviewing the organization of the TTU system administration and the component institutions and reporting to the board recommendations for changes in organization, assignments, and procedures;
- h. preparing and approving appropriate recommendations to the board and its standing committees, [including but not limited to a recommendation on all agenda items for board meetings.](#)
along with the recommendation of the appropriate administrative officers of the TTU system;
- i. preparing and approving annual operating budgets for the TTU system administration and the component institutions and submitting such recommendations to the board;
- j. preparing and approving biennial legislative submissions to the legislative budget board and to the governor for the TTU system administration and the component institutions for the consideration of the board;

- k. establishing or directing the establishment of excellent relationships with all levels of government;
- l. ensuring that the TTU system is a leader in regional economic development in the communities in which it has a presence;
- m. directing the establishment of excellent community relations not only in those communities where the TTU system has a presence but also throughout the state; and
- n. carrying out such other duties as may be assigned by the board.

02.02 **TTU system administration.** The TTU system administration consists of the chancellor and such vice chancellors and other administrative officers and staff as the chancellor may require to carry out the duties assigned to the TTU system administration by the board. Except to the extent there is a conflict with *Regents' Rules* or with a policy issued by the TTU system, the TTU system [administration](#) offices and employees are subject to the provisions of the Texas Tech University Operating Policies and Procedures Manual. Consistent with the provisions of Sections 109.001 and 51.353, *Texas Education Code*, the board assigns the following responsibilities to the TTU system administration under the direction of the chancellor.

02.02.1 Activities coordination. Coordinating the activities of component institutions.

02.02.2 Plans initiation. Initiating, monitoring, approving, and coordinating short- and long-range planning for the TTU system.

02.02.3 Service provision. ~~Providing~~ [Leadership and coordination of the following functions and priorities](#) for the entire TTU system ~~[the following functions]~~:

- a. ~~[cultural diversity, including]~~ equal employment opportunity ~~[and customer-oriented service instruction]~~;

[Customer-oriented service already is a responsibility of the institutional presidents (see Sec. 02.04.2.c on p. 12), and cultural diversity within the institutions would become the responsibility of the presidents as well (see Sec. 02.04.2.d on p. 12).]

- b. facilities planning and construction;
- c. legal services [for all units of the TTU system](#);
- d. governmental relations;
- e. institutional advancement, fundraising, ~~marketing,~~ and development – with the chancellor’s fundraising role for the TTU system enhancing rather than substituting for the role of the chief executive officer of each TTU system component institution, and with the chancellor and each component chief executive officer furthering the mission of the TTU system and the respective institutions through coordinated fundraising and development activities;
- f. ~~news and information~~ [communications and marketing](#); and
- g. financial services and oversight.

02.02.4 Evaluation. Evaluating each component institution.

02.02.5 Performance goals achievement. Assisting the component institutions in the achievement of performance goals.

02.02.6 Other duties. Performing such other duties as may be delegated or assigned by the chancellor and the board.

02.03 Certain administrative appointments

02.03.1 Board appointments.

a. Chancellor. In accordance with Section 01.04, *Regents’ Rules*, the board shall select a chancellor.

b. Presidents of component institutions.

- (1) Appointment; dismissal or reassignment. Each president of a component institution shall be appointed and may be dismissed or reassigned (for good cause or without cause) by the affirmative vote of a majority of the board members

in office at that time. Prior to any vote on appointment, dismissal, or reassignment of a component institution president, the chancellor shall provide a recommendation for the board's consideration.

- (2) Salary; employment contract. The salary of each president of a component institution and any supplement thereto and any emoluments or other benefits to the office, together with any related employment contract and any modification or extension of such employment contract, shall be approved by the affirmative vote of a majority of the board members in office at that time. Prior to any vote on the salary of or an employment contract for a component president, the chancellor shall provide a recommendation for the board's consideration.
- (3) Reporting. Each president of a component institution shall report to and be responsible to the chancellor; but the component institution presidents shall have access to the board, and the board shall have access to the component institution presidents.

The *Regents' Rules* currently are silent with respect to the process by which a search for a President is conducted. The following provides that:

- If the Board determines that a presidential search committee is needed, the Board appoints the search committee members, sets the charge, and determines the process by which the search committee operates, with a recommendation from the Chancellor.
- The Board may delegate to the Chancellor the responsibility for appointing a presidential search committee and coordinating the search.
- The search committee's recommendations are to be submitted to the Board with a copy to the Chancellor.
- The Board, with a recommendation from the Chancellor, determines which candidates will be interviewed by the Board and Chancellor.

(4) Vacancy. When there is a vacancy in the office of a president, the following procedures shall apply:

- (a) The board may, at its discretion, appoint, set the charge to, and determine the process to be used by a presidential search committee. Prior to any deter-

mination on the use of such a search committee, the chancellor may provide a recommendation for the board's consideration. The members of a presidential search committee shall serve at the pleasure of the board. Notwithstanding the preceding provision, at its discretion, the board also may delegate to the chancellor the authority to appoint, set the charge to, and determine the process to be used by a presidential search committee.

- (b) A presidential search committee shall submit to the board, with a copy to the chancellor, the candidates recommended by the search committee.
- (c) The board, with a recommendation from the chancellor, shall determine which candidates, if any, will be interviewed by the board and the chancellor prior to the board naming a finalist. If none of the candidates submitted by the search committee is satisfactory to the board, the board may either name a new search committee or proceed to select a finalist under such other procedures as the board may deem proper and appropriate, at its sole discretion. The board shall not be limited to consider only candidates previously considered by the search committee.
- (d) The board's selection of a president shall be made in accordance with Section 02.03.1.b(1), herein.

02.03.2 Chancellor's appointments.

- a. The vice chancellor and chief financial officer, vice chancellors and other TTU system administration officers shall be appointed by the chancellor with prior notification to the board. The board shall be notified prior to the chancellor's termination or reassignment of such officers.

b. Vice chancellor and general counsel.

(1) Appointment; reporting; termination or reassignment.

The vice chancellor and general counsel of the TTU system (the "general counsel") shall be appointed by the chancellor with prior notification to the board. ~~[The general counsel shall provide legal representation and counsel to the TTU system.]~~ The general counsel shall report directly to the chancellor and have access to the board, and the board shall have access to the general counsel. With the prior approval of the board, the chancellor may dismiss or reassign the general counsel without cause.

[The new provision below ensures that the General Counsel has ultimate responsibility for all legal matters system-wide.]

- (2) Duties and responsibilities. The general counsel shall represent the TTU system administration and all component institutions in all legal matters and shall be responsible for providing all legal services, including the conduct and resolution of litigation, the prosecution and settlement of all claims, and the legal review of all significant transactions, in accordance with applicable state law and the policies of the TTU system. With the approval of the Attorney General of the State of Texas, the general counsel shall retain and manage all outside counsel performing legal services for the TTU system, and shall serve as liaison to the Office of the Attorney General.

[The General Counsel would be governed by the Texas Rules of Ethics when providing legal services or advice to the Board or individual Board members. As such, when the Board or individual Board members seek legal services from the General Counsel, they will be deemed "client representatives" and they may expect the confidentiality that the rules provide for such individuals. See Texas Rules of Ethics rule 1.05.]

(3) Confidentiality when acting as counsel for the board. The board, and individual members of the board, when seeking legal services or advice of the general counsel, act as a "representative of the client" pursuant to the Texas Rules of Ethics, and in such situations, are entitled to the same privileges and confidentialities as are provided by such rules.

- c. Any [~~multi-year~~] employment contract, employment contract modification, or contract extension related to the officers addressed in Subsections a. and b., herein, shall be approved by the chancellor [~~with prior review and advice by~~] unless the approval of the board is required by Section 07.12.2.f, Regents' Rules.

[A new general provision that governs the approval of all employment contracts, other than contracts for the Chancellor and Presidents, is being proposed for addition to Chapter 07 (Fiscal Management).]

02.03.3 Presidents' appointments.

- a. The appointment, termination or reassignment of provosts, vice presidents, vice provosts, deans of schools and colleges, director of intercollegiate athletics, and head coaches of intercollegiate athletics programs shall be ~~[appointed]~~ determined by the president ~~[with prior approval of]~~. Prior to the president making a determination of the individual the president intends to select for such a position or of the president's intention to terminate or reassign an individual in such a position, the president shall have the input of the chancellor [and] regarding the candidate(s) under consideration or the intention to terminate or reassign an individual in such a position, with the goal of ensuring that the action furthers the mission of the TTU system and the component institution. Before any announcement is made regarding the appointment to or the termination or reassignment of an individual in such a position, the president shall provide prior notification to the chancellor and the board.

↑↑ The Chancellor shall provide input to the President when the President is considering the appointment, termination or reassignment of certain institutional officers. Then, after a decision is made, the President must give the Chancellor and Board advance notice before an announcement is made regarding the position.

↓↓ The new general provision in Chapter 07 that governs approval of employment contracts will require a contract for one of these institutional officers to be approved by the Board if certain thresholds are exceeded. Otherwise, the President must have the input of the Chancellor before the President approves such a contract.

- b. Any ~~[multi-year]~~ employment contract, employment contract modification, or contract extension related to persons filling such positions shall be approved by the president ~~[with prior approval of the chancellor and prior notification to]~~ unless the approval of the board is required by Section 07.12.2.f, Regents' Rules. If Board approval is not required by Section 07.12.2.f, the president shall have the input of the chancellor regarding the provisions of the contract that are under consideration before a determination is made on the president's approval of the contract, with the goal of ensuring that the action furthers the mission of the TTU system and the component institution.

02.03.4 Performance evaluations.

- a. Chancellor. The performance of the chancellor will be reviewed annually by the board.

[Current policy has the Board conducting the annual performance evaluations of each President, with a recommendation from the Chancellor being provided to the Board. Under the proposed change, the Chancellor would evaluate each President ... but before the evaluation is shared with a President, the Chancellor and the Board would discuss and come to an agreement on the evaluation.]

- b. Presidents.

(1) Annually, ~~[the board shall evaluate each president of a component institution and shall assist the office of the component institution president in the achievement of performance goals. Prior to the evaluation being finalized by the board,]~~ and prior to an evaluation being shared with a president, the chancellor ~~[will]~~ shall present to and discuss with the board the chancellor's ~~[recommendations for the]~~ evaluation of the performance of ~~[the]~~ each component institution ~~[presidents]~~ president.

(2) After the chancellor and the board have agreed upon the annual evaluation of the president's performance, the chancellor shall share the evaluation with the president.

- c. TTU system administration officers. Annually, the chancellor will review with the board the chancellor's evaluations of the performance of the vice chancellor and chief financial officer, vice chancellor and general counsel, vice chancellors, and other TTU system administration officers.

02.03.5 Chancellor's salary. The salary of the chancellor, any supplement thereto, and any emoluments or other benefits to the office shall be determined by the board.

- 02.03.6 TTU system administration officer salaries. The salaries of the [vice chancellor and](#) chief financial officer, vice chancellor and general counsel, vice chancellors, and other TTU system administration officers shall be set by the chancellor, with ~~[prior notice]~~ [a report of such salaries presented](#) to the board [at the time the TTUSA operating budget is presented to the board each year](#).
- 02.03.7 Time of salary actions. ~~[Salary]~~ [Unless otherwise authorized by the board, salary](#) actions related to the chancellor, [vice chancellor and](#) chief financial officer, vice chancellor and general counsel, vice chancellors, other TTU system administration officers, and the presidents shall take place at the same meeting as, and in conjunction with, the performance reviews outlined in Section 02.03.4, *Regents' Rules*.
- 02.03.8 Component institution officer salaries. The salaries of the provosts, all vice presidents, vice provosts, and deans of colleges and schools of the component institutions shall be set by the presidents, with ~~[prior approval of]~~ [a report of such salaries presented to](#) the chancellor and ~~[prior notification to]~~ the board [at the time the institution's operating budget is presented to the board each year](#).
- 02.03.9 Certain administrator contracts. The terms, conditions, and stipulations of any employment agreement or contract between the TTU system and the chancellor or ~~[any other principal officer]~~ [a president of a component institution](#) of the TTU system thereof shall be in writing and ~~[duly recorded in the minutes]~~ [approved by official action](#) of the board.

[An employment contract with "any other principal officer" will be covered by the new general provision that governs the approval of employment contracts, other than contracts for the Chancellor and Presidents, that is proposed for addition to Chapter 07 (Fiscal Management).]

02.04 Component institution presidents

- 02.04.1 Chief executive officers. The president of each component institution of the TTU system is the chief executive officer of that institution and reports to and is responsible to the chancellor; but the component institution president shall have access to the board, and the board shall have access to the component institution president. The president serves without fixed term, subject to Section 02.03.1.b, *Regents' Rules*, and any employment contract that may be entered into between the president and the TTU system in accordance with state law.
- 02.04.2 Presidents' authority. Within the policies and regulations of the board – which provide that the component institution president reports to and is responsible to the chancellor, with the component institution president having access to the board and the board having access to the component institution president – the president has general authority and responsibility for the administration of the component institution. Specifically, the president is expected, with the appropriate participation of the staff, to:
- a. develop, administer, and coordinate all operations and programs of the component institution;
 - b. develop and administer policies relating to students, and where applicable, to the proper management of services to patients;
 - c. ensure that all facets of the component institution receive instruction in and provide a customer service orientation to its internal and external constituencies;
 - d. provide for cultural diversity throughout all facets of the institution;
 - e. ~~[d.]~~ ensure that the component institution provides a high quality of educational curriculum and faculty for the benefit of its students;
 - f. ~~[e.]~~ recommend operating budgets and supervise expenditures under approved budgets;

- g. [~~f.~~] nominate all members of the faculty and staff under the jurisdiction of the president, and make recommendations to the board for the award of tenure for faculty members;
- h. [~~g.~~] maintain efficient personnel programs;
- i. [~~h.~~] ensure the proper administration of the financial affairs of the component institution, including the accounting, financial oversight, and financial report preparation functions required;
- j. [~~i.~~] prepare and submit to the chancellor the operating policies, procedures, rules, and regulations for the governance of the component institution, provided that any policy, procedure, rule, or regulation in any such institutional operating manuals that is in conflict with any policy, procedure, rule, or regulation in the *Regents' Rules*, is null and void and has no effect;
- k. [~~j.~~] assume initiative in developing long-range and strategic plans for the program of the component institution, and, in the case of TTU, develop a plan to cause TTU to be numbered among the top public research institutions in the country;
- l. [~~k.~~] work actively to ensure that the component institution acquires the necessary public and private resources for successful achievement of its goals and objectives; engage in fundraising activities that increase the institution's endowment and address the needs of all the institution's schools and colleges in accordance with policies and procedures established by the chancellor and the *Regents' Rules*;
- m. [~~l.~~] in the case of component institutions with intercollegiate athletic programs, provide for the proper administration and oversight of the operations of the Department of Athletics, and ensure that the university's intercollegiate athletic programs and activities adhere to the highest standards of integrity and the rules and requirements of the National Collegiate Athletic Association and the athletic conference of which the institution is a member;

- n. ~~m.~~ develop and implement plans and policies to ensure that the component institution remains in compliance with any accreditation requirements appropriate to the institution or its programs, including, for the health components and those academic components with student health services, the accreditation of hospitals, clinics, and patient-care facilities; and
- o. ~~n.~~ carry out all other duties and responsibilities assigned to the president by the board or the chancellor.