

TEXAS TECH UNIVERSITY SYSTEM  
Lubbock, Texas

Minutes

Board of Regents  
October 20, 2017

Friday, October 20, 2017.—The members of the Board of Regents of the Texas Tech University System convened at 8:32 am on Friday, October 20, 2017, in the Board of Regents Conference Room (104A), First Floor, System Administration Building, 1508 Knoxville Avenue, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

Regents present were John D. Esparza; L. Frederick “Rick” Francis, Chairman; Ron Hammonds; Christopher “Chris” M. Huckabee; I. Tim Lancaster, Vice Chairman; Mickey L. Long; J. Michael Lewis; Jarett Lujan, Student Regent; John D. Steinmetz; and John B. Walker.

The following officers and staff were present: Mr. Robert L. Duncan, Chancellor, TTUS; Dr. Brian May, President, ASU; Dr. Lawrence Schovanec, President, TTU; Dr. Tedd Mitchell, President, TTUHSC; Mr. Ben Lock, Executive Assistant to the Chancellor and Secretary of the Board of Regents, TTUS; Mr. John Huffaker, Vice Chancellor and General Counsel, TTUS; Mr. Gary Barnes, Vice Chancellor and Chief Financial Officer, TTUS; Mrs. Penny Harkey, Vice President and Chief Financial Officer, TTUHSC; Mrs. Noel Sloan, Vice President for Administration and Finance and Chief Financial Officer, TTU; Mrs. Angie Wright, Vice President for Finance and Administration, ASU; Ms. Sue M. Fuciarelli, Vice President for Finance and Administration and Chief Financial Officer, TTUHSC El Paso; Mr. Michael Molina, Vice Chancellor for Facilities, Planning and Construction, TTUS; Dr. John Opperman, Vice Chancellor for Academic Affairs, TTUS; Mrs. Kim Turner, Chief Audit Executive, Office of Audit Services, TTUS; Ms. Martha Brown, Vice Chancellor for Governmental Relations, TTUS; Mr. Patrick Kramer, Vice Chancellor for Institutional Advancement, TTUS; Dr. Michael Galyean, Provost, TTU; Dr. Donald Topliff, Provost and Vice President for Academic Affairs, ASU; and Mrs. Christina Martinez, Assistant Secretary to the Board of Regents, TTUS.

- I. MEETING OF THE BOARD—CALL TO ORDER; CONVENE INTO OPEN SESSION OF THE BOARD.—At 8:32 am, Chairman Francis announced a quorum present and called the meeting to order.
- II. INTRODUCTIONS AND RECOGNITIONS.—The Board continued in Open Session. Before calling on the chancellor and presidents for their introductions and recognitions, Chairman Francis made the following remarks about fallen Texas Tech police officer, Floyd East, Jr.

“As we begin today’s meeting, it is with a heavy heart that we think of the loss of our Texas Tech Police Officer, Floyd East, Jr. I think he represented values and the commitment to keep our campus safe. He was an individual of very high character and he represented that commitment that I think that all of the law enforcement signifies. He served our Texas Tech community and kept our campus and students safe who are on this campus. It’s that law enforcement community that is represented by Officer East who answers the calls at all hours and goes out of their way and sacrifices time with their family which allows us to go about our day and enjoy our time with our family. Certainly those in that community and Officer East, they deal with the worst of the world so that we can enjoy the freedom and best of our world. Officer East is someone who we will remember and I had the honor of attending his memorial service. I was touched by all of the comments that were made and by all of the law enforcement who came from across the country to honor his memory in what I call the selfless service that he provided to our Texas Tech community.

“With that, President Schovanec would you like to make some comments?”

President Schovanec commented, “President Francis, this last week was an extraordinarily difficult and sad week for Texas Tech University. When we attended the funeral service and memorial service in El Paso, it was so obvious what a terrible loss this was not only to his family of Officer East but also for the entire Texas Tech University family. I want to thank you; I want to thank President Lange and his colleagues and staff who helped organize that memorial service. What has made this event more bearable, I believe, is the extraordinary expression of love and support that the Tech community has shown for the family of Officer East and for one another. I do appreciate what you have said and I think it expresses how grateful we are for what our police do for us and what Officer East did in particular. I have handed out to the board, a memorial book that we put together. We gave this to Carmen, Anna and Monica when we were in El Paso. It captures some of the photographs of events that occurred during this past week. One of the most extraordinary of those events was the vigil that we had a week ago, last Tuesday. That was organized by the students. They gathered at Memorial Circle to honor the memory of Officer East. It was one of the most touching moments that I have ever experienced at Texas Tech. It makes me extremely proud of the wonderful and caring family that we have.”

Chairman Francis continued and asked the chancellor and presidents for their introductions and recognitions.

Chancellor Duncan presented his introductions and recognitions. “Thank you Mr. Chairman. I’d like to echo what Dr. Schovanec and you have said today. I also want to thank the El Paso team for their efforts and Mr. Chairman for your efforts at the memorial service. It was a very nice service. I want to thank the Masked Rider for being there as well. I thought that was a very touching and nice gesture

on her part and on the part of Texas Tech. I appreciate the leadership of Texas Tech's Police Department.

"I have a few introductions this morning. First, I'd like to introduce Patrick Kramer. I believe most of you already know Patrick. Patrick has been with our team for over a year now. He has served as the senior associate vice chancellor for finance, operations and services for Institutional Advancement. He's actually been the person who's been implementing on a day-to-day basis a lot of the changes that we've made in Institutional Advancement over last three years. He's done a great job with that. He is now our vice chancellor for Institutional Advancement. I think you are going to find Patrick to be very experienced, knowledgeable and straight-forward. He has a lot of experience and stability in this area. Before joining the System he served at the University of Colorado as the vice president for development where he led and managed a \$1.5 billion campaign. Before that he was at Washington State, his alma mater. He and his wife Jennifer live in Shallowater. They have two children, Cheyenne and Jackson. Cheyenne is a student at Washington State University and Jackson is probably the best kicker Shallowater High School has had this year. I want to pause a minute and say congratulations to Patrick. We look forward to you having a very productive career at Texas Tech.

"The next introduction I have is Jennifer Brown. I am excited to welcome Jennifer as the new senior director for federal relations for the Texas Tech University System. Jennifer lives in Washington, DC. She will be our boots on the ground every day for our federal relations and our federal programs. She replaces Kristina Butts who held that position before she moved to Lubbock to be my chief of staff. Jennifer has had an extensive career on Capitol Hill including serving as the chief of staff for the U.S. House Committee on Science, Space and Technology which was chaired by Lamar Smith. She also spent eight years as chief of staff for Congressman Smith and many years before that on his staff. She has nearly thirty years total on his team. She is also a former board member and officer of the Texas State Society of Washington, DC and is a native Texan—a fifth generation Houstonian and also an alumnus of the University of Colorado. Barry, her husband, is a Texas Tech alumni, and they have two children. I know that her experience in DC along with our federal relations team is going to make a significant impact on our growth in the area of achieving success in federal research.

"Finally, there are two people who we must recognize today. I always get notices of things that happen on the Tech campus. One was an event that occurred at the Recreation Center. I want to introduce to you someone who many of you may know—Peewee Roberson and Lindsay Anderson. Together they have an incredible story of courage and heroism. In May of this year, a man went into cardiac arrest and collapsed on the indoor track at the Recreation Center ("Rec"). This man was little bit older than most of our students. He'll agree. Because of their quick response and actions, members of the Lubbock Fire Department

recommended that the pair receive a certificate of accommodation by the City of Lubbock. The City recognized Lindsay and Peewee at a ceremony in August and those awards are not given lightly. Under Peewee's leadership, most professional staff and students who work at the Rec are trained in CPR and the use of the AED machines. Our Rec Center staff places great importance on the ability to be able to respond and assist. Because of them, this man's life was saved. This man is a good friend of mine and a good friend to some of you as well. He and his wife are both great leaders in Lubbock, Texas and they are here today—please stand Bernie and Sharon Bass. This really makes me very proud of the quality of staff that we have at Texas Tech. This exemplifies that. Congratulations to all of you.

“That concludes my recognitions.”

President May had no introductions and recognitions.

President Schovanec presented his introductions and recognitions. “Good morning Chairman Francis and members of the Board. My first introduction is of Dean Margaret Williams. Margaret Williams was named the dean of the Rawls College of Business last February. She is coming to us from the University of North Dakota where she previously served as the interim dean of the School of Business Administration at Wayne State University. In her various roles as an administrator she has been responsible for the creation of the School of Entrepreneurship and she has led development and alumni relations and always boosted her college's research portfolio at the Commonwealth, the University of Pennsylvania, Purdue and Indiana University. In the time that she has been here, her professional leadership qualities and her personal characteristics have been very evident. I am very confident in her abilities and am very much looking forward to the benefit that she will bring to the faculty, the students and the staff of the Rawls College of Business. Please help me welcome Dean Margaret Williams.

“My next introduction is of Dr. Joseph Heppert who recently joined the University leadership as our new vice president for research. He previously served at the University of Kansas which is an AAU institution. Under Dr. Heppert's leadership and experience, he's had annual research expenditures of more than \$240 million. He also served as the university's director for the Center for Science Education and was associate vice president for Research and Graduate Studies. He is a recognized and respected scholar in his own right. I am very excited about the inclusive leadership style, his knowledge of federal matters and his credibility that will help grow our research portfolio here at Texas Tech University.

“My next introduction is of someone who is not new to Texas Tech University but was recently named to the new position of vice president for University Advancement at Texas Tech University and that is Paul Herring. Paul has more than 10 years of fundraising experience in higher education. He most recently

served as the executive director of Development for the Rawls College of Business. Paul will lead Texas Tech University's fundraising efforts. He will provide coordination between Texas Tech efforts and those of the Texas Tech University System. I believe he will be a superb person at establishing and strengthening our relationships with the donors, our corporate and foundation partners and the cooperation among the various colleges. Congratulations Paul.

"My last introduction is Danny Koch who has championed many causes here on the South Plains. He has displayed a great commitment to Texas Tech University and especially military veterans which is one of his great passions. Danny started an organization in the 1960s called the Committee for Champions. This group promoted the academic and athletic endeavors of Texas Tech University. His work with veterans has endeared him to many across the region. He has organized events honoring Purple Heart recipients which was inspired by his son who is a Purple Heart recipient. He is currently assisting fundraising efforts for a new memorial that will honor congressional Medal of Honor recipient and Texas Tech alum, George O'Brien. Danny, thank you for your tireless efforts in supporting our veterans at Texas Tech University and at this time, Danny would like to hand out a challenge coin to our regents and administration and he would like to make a few comments about this."

Regent Steinmetz commented, "Dr. Schovanec I want to thank you for what you did to make this become a reality. You said Danny's son and I want to say that Private Paul Koch was hit by an IED and spent a year of his life in a military hospital. For those who know Danny, they know that this coin means a great deal to him, not only because of George O'Brien, the Purple Heart recipient but also because of his son. I want to thank you for everything that you do not only for this community but for all veterans across the country."

Mr. Koch addressed the Board. "Thank you for giving me a few minutes to speak. If you look at the coin, George O'Brien was a 1950 graduate of Texas Tech University. He received a degree in geology. He had joined the Marine reserves and after graduating two years later he was deployed to Korea as a second lieutenant. Within months of being in Korea he was given the charge to reclaim a hill from the Communist Chinese and they were vastly superior in numbers. He led his men up the hill through four hours of constant fighting. He was wounded four separate times. The fighting was so gruesome that it included fighting in hand-to-hand combat and was something that he was never proud of and something that he never felt good about and it's something that he never talked about—he killed three Communist Chinese in hand-to-hand combat. He was wounded four times, but he refused treatment until every one of his Marines had been treated and only then did he accept care. He recovered from his wounds and went back to the frontlines where he was wounded a second time. The answer for his heroism is simple—he's a West Texan. West Texans don't seek attention. That is not who we are and he was always embarrassed about receiving the Medal of Honor because he would have said that the true heroes

that day were the men who were killed on the battlefield that he could not save. So, if you look at the coin, on the front is a picture of George O'Brien, Jr. in the spring of life, dressed in his white uniform with the Medal of Honor around his neck. It says, 'Second Lieutenant George O'Brien, Korean War' and if you flip to the back of the coin—it was designed by George O'Brien and Dell Punch with the Congressional Medal of Honor Society—'Medal of Honor' and then below 'Texas Tech, 1950.' That is something that he was very proud of. All three of his children attended Texas Tech and one graduated from Texas Tech. As you look on the left, there is his Purple Heart. Purple Hearts are not won. They are earned. The currency of freedom is a soldier's blood. George O'Brien paid that currency that day. On the right is the diamond which was something that he was most proud of. That was his Marine battalion. On the bottom has October 27, 1952.

"In closing, next week, we will be honoring George O'Brien and we'll be raising money to build a monument of courage to honor our Purple Heart heroes and probably the greatest heroes of society, Gold Star families. Gold Star families are those who have lost a soldier in war. My wife is a Gold Star sister. On December 28 of this year will be the 50<sup>th</sup> anniversary of the only son in that family, the oldest, her only brother, who was killed in Vietnam. He had barely turned 19 years old. So, for George O'Brien, he was a hero; he was a West Texan. He did his duty. He served his country with honor and distinction and he was a Fearless Champion.

"Thank you."

President Mitchell had no introductions.

- III. PRESENTATION BY TEXAS HIGHER EDUCATION COORDINATING BOARD COMMISSIONER.—Dr. Raymund Paredes, Commissioner of the Texas Higher Education Coordinating Board, presented a report to the Board, included herewith as Attachment No. 1 (Texas Tech University Board of Regents, 60x30TX, Texas Higher Education Coordinating Board.)
- IV. RECESS—Chairman Francis recessed the meeting at 9:40 am.
- V. MEETING OF STANDING COMMITTEES.—Committee meetings took place sequentially beginning at 9:40 am, upon the recess of the Meeting of the Board. (Refer to VIII. for items approved.)

Friday, October 20, 2017.—The members of the Board of Regents of the Texas Tech University System reconvened at 12:05 pm on Friday, October 20, 2017, in the Board of Regents Conference Room (104A), First Floor, System Administration Building, 1508 Knoxville Avenue, Lubbock, Texas, with the following in attendance:

ATTENDANCE.—

Regents present were John D. Esparza; L. Frederick “Rick” Francis, Chairman; Ron Hammonds; Christopher “Chris” M. Huckabee; I. Tim Lancaster, Vice Chairman; Mickey L. Long; J. Michael Lewis; Jarett Lujan, Student Regent; John D. Steinmetz and John B. Walker.

The following officers and staff were present: Mr. Robert L. Duncan, Chancellor, TTUS; Dr. Brian May, President, ASU; Dr. Lawrence Schovanec, President, TTU; Dr. Tedd Mitchell, President, TTUHSC; Mr. Ben Lock, Executive Assistant to the Chancellor and Secretary of the Board, TTUS; Mr. John Huffaker, Vice Chancellor and General Counsel, TTUS; Mr. Gary Barnes, Vice Chancellor and Chief Financial Officer, TTUS; Mrs. Penny Harkey, Vice President and Chief Financial Officer, TTUHSC; Mrs. Noel Sloan, Vice President for Administration and Finance and Chief Financial Officer, TTU; Mrs. Angie Wright, Vice President for Finance and Administration, ASU; Ms. Sue M. Fuciarelli, Vice President for Finance and Administration and Chief Financial Officer, TTUHSC El Paso; Dr. John Opperman, Vice Chancellor for Academic Affairs, TTUS; Dr. Michael Galyean, Provost, TTU; Dr. Donald Topliff, Provost and Vice President for Academic Affairs, ASU; Mr. Robbie Meyer, President, Student Government Association, TTU; Mr. Austin Lunney, President, Student Government Association, TTUHSC; and Mrs. Christina Martinez, Assistant Secretary to the Board of Regents, TTUS.

- VI. MEETING OF THE BOARD—CALL TO ORDER; RECONVENE INTO OPEN SESSION OF THE BOARD.—At 12:05 pm, Chairman Francis announced a quorum present and called the meeting to order.
- VII. OPEN SESSION.—At 12:05 pm on Friday, October 20, 2017, the Board continued meeting in open session in the Board of Regents Conference Room (104A), First Floor, System Administration Building, 1508 Knoxville Avenue, Lubbock, Texas, to consider items as a Committee of the Whole and Meeting of the Board.
  - VII.A. APPROVAL OF MINUTES.—Chairman Francis asked for approval of the minutes of the board meetings held on August 10-11, 2017. Regent Hammonds moved for their approval. Regent Lancaster seconded the motion, and the motion passed unanimously.

VII.B. COMMITTEE OF THE WHOLE.—Chairman Francis announced that for the purpose of facilitating action on the items to be considered, Vice Chairman Lancaster would preside over the Committee of the Whole.

VII.B.1. ASU, TTU, TTUHSC, TTUHSC El Paso, TTUSA, and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda.— Regent Lancaster presented the item regarding approval of the Consent Agenda and acknowledgment of its review of the Information Agenda. The following are the Minute Orders approved by this motion:

VII.B.1.a. TTU: Approve faculty development leaves of absence.—The Board approved the faculty development leaves of absence as listed below. This request was approved administratively by the president and the chancellor.

### **FACULTY DEVELOPMENT LEAVE**

Faculty development leave with full salary for Dr. Cristina Bradatan, associate professor in the Department of Sociology, Anthropology, and Social Work, College of Arts and Sciences, for the period January 1, 2018 through May 31, 2018. Dr. Bradatan will be on leave as a Fulbright Foreign Scholar at the University Bucharest, Romania. Her project will be to analyze how cooperation, or lack of cooperation, affects adaptation to climate change in rural communities in southern Romania.

Faculty development leave with full salary for Dr. Elizabeth Trejos-Castillo, associate professor in the Department of Human Development and Family Studies, College of Human Sciences, for the period January 1, 2018 through May 31, 2018. Dr. Trejos-Castillo will be on leave as a Fulbright Foreign Scholar recipient at the State University of Ponta Grossa, Curitiba, Brazil. Her project will be to conduct cross-cultural research with foster youth to further the efforts of the Brazilian and American governments by extending knowledge available from both countries about the socio-emotional well-being of abused and neglected youth in foster systems. She will also teach an advanced course on cross-cultural research methods and individually



mentor students at the State University of Ponta Grossa.

Faculty development leave with full salary for Dr. James Yang, associate professor in the Department of Mechanical Engineering, Whitacre College of Engineering, for the period September 1, 2017 through December 15, 2017. Dr. Yang will be on leave as a Fulbright Foreign Scholar with the University of Vigo, Spain. Dr. Yang will be conducting research, primarily in Hungary (while stationed in Spain) on intrinsic factors (deterioration of muscle strength, gait adaptation, sensory degradation) and extrinsic factors (physical environment, work processes, culture) associated with Hungarian older adults' falls and fall-related injuries. He will also teach a related course at the University of Vigo.

- VII.B.1.b. TTU: Approve faculty leave of absence with pay.—  
The Board approved the faculty leave of absence as listed below. This request was approved administratively by the president and the chancellor.

### **FACULTY LEAVE**

Leave with pay for Dr. Patrick Scharfe, assistant professor of history, College of Arts and Sciences, for the period January 2018 through May 2018. Dr. Scharfe is recipient of a grant from the American Research Institute in Turkey (ARIT; headquarters Philadelphia, Pennsylvania, USA) to conduct archive research on-site at the Prime Minister's Ottoman Archives of Istanbul. The ARIT grant is funded by the National Endowment for the Humanities. Dr. Scharfe's department and college consider this an outstanding achievement and opportunity, and the research is critical to completion of his book project, "An Islamic Public Sphere: Muslim Scholars and Dissent in Late Ottoman Egypt, 1801-1841." The Department of History will provide for Dr. Scharfe's normal TTU salary and benefits throughout the leave, and cover teaching of his courses during the spring semester.

VII.B.1.c. TTU and TTUHSC: Approve employees to serve as employees, officers, or members of the Board of Directors with a company in which TTUS has a vested interest in the intellectual property.—The Board approved Texas Tech University (“TTU”) and Texas Tech University Health Sciences Center (“TTUHSC”) employees, as listed below, to be employees, officers, or members of the Board of Directors of TKQuant, LLC, in which TTUS has a vested interest in the intellectual property. This request was approved administratively by the president and the chancellor.

- Suhas Pol (TTU) Co-Inventor, Co-founder,
- Kerry Gilbert (TTUHSC) Co-Inventor, Co-Founder,
- Phil Sizer (TTUHSC) Co-Inventor, Co-founder,
- Kinyata Cooper (TTUHSC) PhD student & Teaching Assistant

TKQuant, LLC, based in Lubbock, TX, has invented a technology that can be applied to quantify uterine C-section scar tissue integrity, allowing Obstetric/Gynecological (OB-GYN) physicians to reduce risk during labor and birth that involves women with previous C-section history. Nearly one in three births in US occurs via C-section.

TKQuant’s management team consists of 4 co-founders who are co-inventors of the technology and a student researcher. Additionally, the team has identified a mentor who is a co-founder and investor in the healthcare space. TKQuant’s co-founders have a Validation License agreement with TTUORC which permits eventual, total ownership of Intellectual property (“IP”). Beyond the patent, TKQuant will develop trade secrets to maintain a competitive advantage.

VII.B.1.d. TTU and TTUHSC: Approve employees to serve as employees, officers, or members of the Board of Directors with a company in which TTUS has a vested interest in the intellectual property.—The Board approved the Texas Tech University (“TTU”) and Texas Tech University Health Sciences Center

(“TTUHSC”) employees, as listed below, to be employees, officers, or members of the Board of Directors of Reproductive Solutions, Inc., in which TTUS has a vested interest in the intellectual property. This request was approved administratively by the president and the chancellor.

- Samuel D. Prien (TTUHSC/TTU) Co-Inventor, Co-founder
- Lindsay L. Penrose (TTUHSC/TTU) Co-Inventor, Co-founder

Reproductive Solutions Inc. (“RSI”), located in Lubbock, Texas, is a C-corporation formed under the laws of the State of Texas, and produces a unique semen collection device, to be marketed under the name ProTex. The product will be marketed to human fertility clinics and offers a solution to one of the problems of male infertility.

VII.B.1.e. TTUHSC: Approve text, installation and location of plaques for Drs. M. Roy Wilson and John C. Baldwin, former presidents of Texas Tech University Health Sciences Center.—The Board approved the installation, location, and the following text of plaques recognizing the tenure of M. Roy Wilson, the sixth president, and John C. Baldwin, the seventh president of Texas Tech University Health Sciences Center. This request was approved administratively by the president and the chancellor.

M. Roy Wilson  
Sixth President  
Texas Tech University Health Sciences Center  
2003 – 2006

M. Roy Wilson, born in Yokohama, Japan, a board-certified ophthalmologist, became the sixth president of Texas Tech University Health Sciences Center in 2003. He received his medical doctorate from Harvard Medical School in 1980. He earned his Master of Science in Epidemiology at University of California at Los Angeles in 1990. As an internationally renowned scholar, his research focused on glaucoma and blindness in populations from the Caribbean to West Africa. Under his

leadership, Texas Tech University Health Sciences Center El Paso Medical Education Building was constructed. The F. Marie Hall Institute for Rural and Community Health was established in February of 2006 as an interdisciplinary institute to synthesize the medical needs of the region. Wilson was elected as a lifetime member of the National Academy of Medicine in 2003.

John C. Baldwin  
Seventh President  
Texas Tech University Health Sciences Center  
2007 – 2009

John C. Baldwin, a native Texan, became the seventh president of Texas Tech University Health Sciences Center in 2007. He received his medical doctorate from Stanford School of Medicine and completed his cardiothoracic surgery residency at Stanford Medical School in 1983. The Paul L. Foster School of Medicine at Texas Tech University Health Sciences Center El Paso received its accreditation as a four-year medical school in 2008 during his tenure. As chief of cardiothoracic surgery at Yale University School of Medicine, Baldwin performed the first successful heart-lung transplant on the east coast. He served on the board of directors of the Robert F. Kennedy Foundation and received a 2011 presidential appointment to the U.S. Defense Health Board.

The plaques will be installed in the Academic Classroom Building, first floor foyer, along with the plaques of other past presidents.

- VII.B.1.f. TTUHSC El Paso: Approve revisions to OP 60.01, Tenure & Promotion Policy.—The Board approved the revisions to Operating Policy (“OP”) 60.01, Tenure and Promotion Policy. This request was approved administratively by the president and the chancellor.

The revisions to OP 60.01 include minor formatting changes to correct errors in line spacing and indentation errors. The only substantive change

was to add the Assistant Vice President for Faculty Affairs in the review section.

OP 60.01, Tenure and Promotion Policy, with proposed revisions is included herewith as Attachment No. 2.

VII.B.1.g. TTUHSC El Paso: Approve revisions to OP 60.03, Comprehensive Performance Evaluation of Tenured Faculty.—The Board approved revisions to Operating Policy (“OP”) 60.03, Comprehensive Performance Evaluation of Tenured Faculty. This request was approved administratively by the president and the chancellor.

The revisions to HSC EP OP 60.03 include review of policy section include deletion of Council of Deans; addition of deans, assistant vice president for faculty affairs, and Board of Regents

The revisions to HSC EP OP 60.03<sup>a</sup> (PLFSOM Procedure) include:

- In Purpose, addition that procedure will be consistent with Board of Regents Rules 04.03
- Deletion of reference to department-specific criteria
- Definition of who qualifies as a full-time administrator
- Updating of report routing to Assistant Vice President of Faculty Affairs
- Correction of title of Associate Dean of Faculty Affairs (deleted “and Development”)

OP 60.03, Comprehensive Performance Evaluation of Tenured Faculty, with proposed revisions is included herewith as Attachment No. 3 and the TTUHSC PLFSOM Procedure for Comprehensive Performance Evaluation of Tenured Faculty is included herewith as Attachment No. 4.

VII.B.1.h. ASU, TTU, TTUHSC and TTUHSC El Paso: Approve campus policies regarding Sexual Assault at each of the System Component Universities.—The Board approved the published policies with respect to Campus Sexual Assault for each of the

four institutions—Texas Tech University (“TTU”), Angelo State University (“ASU”), Texas Tech University Health Sciences Center (“TTUHSC”), and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”)—and granted authority to the president of each institution to make conforming changes, as necessary, to the respective student handbooks and codes of student conduct. This request was approved administratively by the president and the chancellor.

The Board approved the following operating policies:

1. Texas Tech University: OP 40.03
2. Texas Tech University Health Sciences Center: OP 51.03
3. Texas Tech University Health Sciences Center El Paso: OP 51.03
4. Angelo State University: OP 16.03

The Board found that policies at each campus fully address:

- Updated definitions of prohibited behavior;
- Updated and added provisions in accordance with amended state law related to amnesty for students; protocols for informing students and employees of the institution’s sexual assault policy; and protocols for responding to reports of sexual assault.

The Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure Operating Policies for each institution are included here as Attachment No. 5 (ASU OP 16.03); Attachment No. 6 (TTU OP 40.03); Attachment No. 7 (TTUHSC OP 51.03); and Attachment No. 8 (TTUHSC El Paso OP 51.03).

- VII.B.1.i. TTU: Approve acceptance of a barn for Proctor Park at the National Ranching Heritage Museum.—  
The Board approved acceptance of a historic barn

for Proctor Park at the National Ranching Heritage Museum. This request was approved administratively by the president and the chancellor.

- VII.B.1.j. TTU: Authorize a Brush Control Agreement for Texas Tech University's Junction campus.—The Board authorized the president or the president's designee to negotiate and execute a Water Supply Enhancement Program Cost-Share Assistance Contract ("Contract") with the Texas State Soil and Water Conservation Board ("TSSWCB"). This request was approved administratively by the president and the chancellor.
- VII.B.1.k. TTUHSC: Approve modification of name for future School of Public Health.—The Board approved a modification to the previously approved naming of the Texas Tech University Health Sciences Center's ("TTUHSC") Department of Public Health from the "Judy Jones Matthews Department of Public Health" to the "Julia Jones Matthews Department of Public Health." Also, at such time as the Board of Regents and the institution's accreditation agency authorized this department to become a separate school, the naming would change to the "Julia Jones Matthews School of Public Health." This request was approved administratively by the president and the chancellor. Regent Lancaster announced that he was recusing himself from the vote on this item.
- VII.B.1.l. TTU: Approve commissioning of police officer.—The Board approved to commission the individual as listed below as a police officer, effective on the date indicated. This request was approved administratively by the president and the chancellor.
- Khanh Truong, effective June 16, 2017
- VII.B.1.m. TTU and TTUHSC El Paso: Approve purchasing contracts in excess of \$1,000,000.—The Board approved purchasing contracts for Texas Tech University and Texas Tech University Health Sciences Center at El Paso in excess of \$1,000,000 per annum as listed on the following pages. This request was approved administratively by the presidents and the chancellor.

Also provided is the reporting of certain information required for purchasing contracts that exceed \$5,000,000 over the entire term of the contract.

**TTU: Approval of Purchasing Contracts**

*Regents' Rules 07.12.3.a*

Component	Vendor	Services or Goods to be Provided	Estimated Per Annum Expenditures	Estimated Term Expenditures (includes renewals)	Start	End	Procurement Method
TTU	Lubbock Audio Visual	Audio/visual equipment and services	\$ 1,062,152	\$ 3,500,000	9/1/2012	12/19/2017	TIPS Cooperative
TTU	SHI Government Solutions	Technology commodities	\$ 1,050,753	\$ 3,500,000	7/1/2014	8/31/2018	UT Alliance Cooperative

*Regents' Rules 07.12.3a and 07.12.3.c*

Component	Vendor	Services or Goods to be Provided	Estimated Per Annum Expenditures	Estimated Term Expenditures (includes renewals)	Start	End	Procurement Method	Verification that the solicitation and purchasing method and contractor selection process comply with State law and TTU System policies	Information on potential issues that may arise in the solicitation, purchasing, or contractor selection process.
TTU	LEARN Lonestar Education and Research Network	High performance optical network	\$ 1,363,642	\$ 19,500,000	7/3/2008	1/27/2028	Direct Publisher	Confirm	None. LEARN is a consortium of 40 public and private institutions in Texas and is organized as a 501 ( c ) (3). In 2003, the Texas Legislature provided an initial investment of \$7.5 million to construct the optical network and in 2005, the Governor provided an additional \$7.28 million in funding for the network project.

**TTUHSC at El Paso: Approval of Purchasing Contracts**

*Regents' Rules 07.12.4.a*

Component	Vendor	Services or Goods to be Provided	Estimated Per Annum Expenditures	Estimated Term Expenditures (includes renewals)	Start	End	Procurement Method
TTUHSC El Paso	Cardinal Health	Pharmaceuticals	\$ 1,077,347	\$ 3,000,000	6/1/2009	8/31/2018	Minnesota Multistates-COOP
TTUHSC El Paso	Summus Dell	Computer Hardware and Computer Software	\$ 1,097,517	\$ 3,000,000	1/9/2013	1/10/2018	DIR
TTUHSC El Paso	J T Vaughn Construction LLC	JOC Orders for campus improvements	\$ 1,030,335	\$ 2,000,000	11/9/2016	10/31/2018	TCPN/National IPA - National Intergovernmental Purchasing Alliance
TTUHSC El Paso	Sigma Solutions	IT Network Infrastructure, IT Security Solutions, VOIP Services	\$ 1,102,043	\$ 3,000,000	7/26/2014	5/5/2018	DIR
TTUHSC El Paso	AO General Contractor Inc	JOC Orders for campus improvements	\$ 1,165,025	\$ 2,000,000	12/11/2015	10/31/2017	State of Texas COOP-Region 19



VII.B.1.n. TTUHSC: Authorize president to execute a contract with BSA Health System Holdings, LLC.—The Board approved the contract with BSA Health System Holdings, LLC, (“BSA”) as owner of the BSA Provider Network (“NETWORK”), to facilitate the Texas Tech University Health Sciences Center, School of Medicine Amarillo Campus, (“TTUHSC”) participation as an In-Network PPO Physician Group Provider. This request was approved administratively by the president and the chancellor.

VII.B.1.o. TTUHSC and TTUHSC El Paso: Approve submission of request to exceed the Full Time Equivalent (“FTE”) limitation established by the General Appropriations Act.—The Board approved to allow Texas Tech University Health Sciences Center (“TTUHSC”) and Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”) to exceed the number of full-time equivalent (“FTE”) employees paid from appropriated funds for Fiscal Year 2018 that are authorized in Article III of the General Appropriations Act. It is also recommended for approval that the TTUS Board of Regents submit a request to the Governor and the Legislative Budget Board to grant approval for these institutions to exceed the authorized number of FTE employees paid from appropriated funds and to submit subsequent reports as required in Article IX, Section 6.10 of the General Appropriations Act. This request was approved administratively by the president and the chancellor.

Request to Exceed Limitation on State Employment Levels  
FY 2018

Institution	FTE Cap	Requested Increase	Revised FTE Level	Source of Funds
Texas Tech University Health Sciences Center (“TTUHSC”)	1,404.20	115	1,519.20	Appropriated
<u>Justification:</u> TTUHSC has experienced enrollment growth from 4,463 in Fall 2014 to 4,800 in Fall 2017. TTUHSC has also been the recipient of several appropriated funds Texas Higher Education Coordinating Board Graduate Medical Education Expansion grants. These grants create additional residency positions. TTUHSC is requesting additional FTE's to support the enrollment growth and residency positions.				
Institution	FTE Cap	Requested Increase	Revised FTE Level	Source of Funds
Texas Tech University Health Sciences Center	602.30	65	667.30	Appropriated

El Paso (“TTUHSC El Paso”)				
<p><u>Justification:</u> TTUHSC El Paso has experienced enrollment growth from 468 in Fall 2014 to 660 in Fall 2017. TTUHSC El Paso has also been the recipient of several Texas Higher Education Coordinating Board Graduate Medical Education Expansion grants that create additional graduate medical residency positions. In addition to enrollment growth, graduate medical residency positions, and the initiation of a new dental school, TTUHSC El Paso is adding FTEs for student services as part of becoming a separately accredited institution for SACSCOC and other accrediting bodies.</p>				

VII.B.1.p. TTUHSC El Paso: Authorize president to amend contract with Community Resources LLC.—The Board authorized the president to extend the current Consulting Services Agreement with Community Resources LLC to provide expertise to Texas Tech University Health Sciences Center at El Paso (“TTUHSC El Paso”) in facilitating outreach to stakeholders and leaders in the health and human service organizations. This request was approved administratively by the president and the chancellor.

VII.B.1.q. TTUS: Approve appointment of new members to the Board of Directors of Texas Tech Foundation, Inc.—The Board approved the appointment of the individuals as listed below to the Board of Directors of Texas Tech Foundation, Inc. This request was approved administratively by the president and the chancellor.  
First Term Appointments – Expiring August 31, 2021

Dr. W. Tom Fogarty  
Kim Ford  
Hon. James “Jim” Keffer  
Jim Skinner  
Dusty Womble

Second Term Appointments – Expiring August 31, 2021

Curtis W. Clerkley, Jr.  
Kelly Crofoot  
J. Kelly Joy

VII.B.1.r. TTUS: Approve Investment Advisory Committee appointment as recommended by the Board of Directors of Texas Tech Foundation, Inc.—The Board approved the appointment of the individual as

listed below to the Investment Advisory Committee (“IAC”). This request was approved administratively by the chancellor.

**Benton J. Hyatt**

Hillwood Development Company, a Perot Company  
Vice President, Structured Finance

VII.B.1.s. ASU, TTU, TTUHSC, TTUHSC El Paso, TTUS and TTUSA: Approve delegation of signature authority.—The Board approved, in accordance with Title III Section 6.3b of the Texas General Appropriations Act, the signature authority as listed below. This request was approved administratively by the chancellor and each respective component president.

- (1) To authorize the chancellor to designate officers and employees of the System and its components, to approve all employee travel, except to countries outside the United States other than United States possessions, Canada, and Mexico, provided that such travel contributes to the mission of the System and its components, and is in accordance with current travel regulations. The authorization is effective September 1, 2017 through August 31, 2018, or until such time as the designated officers or employees are separated from the System or its components, or are assigned other responsibilities, whichever comes first.
- (2) To authorize the chancellor to designate officers and employees of the System and its components, to approve official travel reimbursement from State appropriations and all other funds for all officers and employees, provided that the purpose of the travel and reimbursement for such are in accordance with state travel regulations, other statutory requirements, or other action promulgated by this board. This authorization is effective September 1, 2017 through August 31, 2018, or until such time as the designated officers or employees are separated from the System

or its components, or are assigned other responsibilities, whichever comes first.

- (3) To authorize the chancellor to designate officers and employees of the System and its components, to approve and pay all accounts covering expenditures for state-appropriated funds and all other System or components-controlled funds. This authorization is effective September 1, 2017 through August 31, 2018, or until such time as the designated officers or employees are separated from the System or its components, or are assigned other responsibilities, whichever comes first.
  
- (4) To authorize and approve the sale, purchase, and transfer of stocks, bonds, and any other investment vehicles which are owned or controlled by the System and to approve contracts with investment managers funded with assets owned or controlled by the System, provided such action is approved by any two of the individuals listed below. This authorization is effective September 1, 2017 through August 31, 2018, or until such time as the designated officers or employees are separated from the System or its components, or are assigned other responsibilities,, whichever comes first, in which case the authorization applies to their successor:

**Angelo State University**

Officers and employees authorized to sign, or countersign:

Lanell Nichols, Manager, Accounts Payable

- (5) To authorize the signature and/or countersignature of checks drawn on all depository accounts of the System or its components in any depository bank. This authorization is effective from September 1, 2017 through August 31, 2018, or until such

time as the designated officers or employees are separated from the System or its components, or are assigned other responsibilities, whichever comes first, in which case the authorization applies to their successor. Any manually signed check shall be reviewed and signed by two authorized signers, and any mechanically signed check of \$10,000 or more shall be reviewed by any authorized signer.

**Angelo State University**

Officers and employees authorized to sign, or countersign:

Lanell Nichols, Manager, Accounts Payable

- (6) To authorize the transfer of funds, by wire or other electronic means, from System or component depositories. This authorization is effective from September 1, 2017 through August 31, 2018, or until such time as the designated officers or employees are separated from the System or its components, or are assigned other responsibilities, whichever comes first, in which case the authorization applies to their successor.

**Angelo State University**

Officers and employees authorized to sign, or countersign:

Lanell Nichols, Manager, Accounts Payable

**Information Agenda**

Information is provided as required by Section 01.02.7.d(4)(c), *Regents' Rules*

- (1) TTUHSC: Contract Renewals per Sections 07.12.4.d and 07.12.6.b., *Regents' Rules* – A list of renewal, extended or amended contracts in excess of \$1,000,000 per

annum, including the amount of the contract, shall be provided to the board as an information item at the next regular board meeting.

- (a) AMEND599090-002 (REF CON599090) Texas Department of Criminal Justice 696; Amendment to increase funding from TDCJ for FY17; Increase of \$2,820,258 to \$105,010,822.
- (b) CON1720372 (REF CON599090) Texas Department of Criminal Justice 696; Renewal of TDCJ Master Contract Correctional Health Services FY18-19; \$103,320,436.
- (c) AMEND598530-001 (REF CON598530) Methodist Hospital Plainview; Amendment to extend health services related to TDCJ Master Agreement (CON1720372) thru 10.31.2017 for onsite health care services at the Formby Unit; Increase of \$196,892.
- (d) AMEND597389-002 (REF CON597389) Hendrick Medical Center; Amendment to extend health services related to TDCJ Master Agreement (CON1720372) thru 9.30.2017 for offsite hospital services; Increase of \$260,000.
- (e) AMEND597064-001 (REF CON597064) Medical Arts Hospital; Amendment to extend health services related to TDCJ Master Agreement (CON1720372) thru 9.30.2017 for onsite health care services at the Smith Unit; Increase of \$154,523.
- (f) AMEND593711-001 (REF CON593711) Mitchell County Hospital District; Amendment to extend health services related to TDCJ Master Agreement (CON1720372) thru 9.30.2017 for onsite health care services at the Daniel Unit; Increase of \$113,565.
- (g) AMEND589624-001 (REF CON589624) Childress Regional Medical Center – CRMC; Amendment to extend health services related to TDCJ Master Agreement (CON1720372) thru 9.30.2017 for onsite health care services at the T L Roach Unit and Childress ISF/Work Camp; Increase of \$131,535.
- (h) AMEND589618-001 (REF CON589618) Hendrick Medical Center; Amendment to extend health services related to TDCJ Master Agreement (CON1720372) thru 9.30.2017 for onsite health care services at the Roverson Unit; Increase of \$325,664.
- (i) AMEND589614-001 (REF CON589614) Hendrick Medical Center; Amendment to extend health services related to TDCJ Master Agreement (CON1720372) thru 9.30.2017 for onsite health care services at the Middleton Unit; Increase of \$215,885.
- (j) AMEND589612-002 (REF CON589612) Mitchell County Hospital District; Amendment to extend health services related to TDCJ Master Agreement

(CON1720372) thru 9.30.2017 for onsite health care services at the Wallace Unit; Increase of \$117,741.

- (k) AMEND597614-001 (REF CON597614) University of Texas Medical Branch; Amendment to extend pharmacy agreement with UTMB for biennium FY18-19; \$11,400,000.
- (l) AMEND592606-007 (REF CON592606) Discovery Medical Network Inc; Amendments to attachments 1,2,3,4,6,22,25,26,32,41,42,43 – Services Agreement 1115 Waiver; \$23,086,838.
- (m) AMEND592422-002 (REF CON592422) Northwest Texas Healthcare System Inc; Amendment to Master Services Agreement April 2017 – March 2018; \$17,200,000.
- (n) AMEND589560-002 (REF CON589560) BSA Health System of Amarillo LLC; Amendment to extend term thru 6.30.2018 for Family Medicine faculty and resident support; \$1,721,461.
- (o) AMEND589536-002 (REF CON589536) Northwest Texas Healthcare System Inc; Amendment to extend Physician in Training Support Agreement, Medical Resident salary funding; \$4,075,381.
- (p) CON1708227 (REF CON589413) Texas Health and Human Services Commission; Renewal of Interagency contract for participation in FY18 Network Access Improvement Program; \$2,891,573.
- (q) CON1720684 (REF HHSC CON1708227) Amerigroup Texas Inc; Renewal of NAIP Participation Agreement FY18; \$2,396,250.

- (2) TTU, TTUHSC and TTUHSC El Paso: Consulting contracts with an initial consideration of \$25,000 or less per Section 07.12.4.e.(2), *Regents' Rules* – “(a) 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. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”

**TTU:**

- (a) Purpose of Consultant: Mr. Greg Deason will advise TTU in five areas: (1) creation of a robust innovation and entrepreneurial ecosystem, (2) startup creation and support, (3) technology park success and development, (4) incubation success and development, and (5) utilization of a nonprofit support organization. The fee, including travel and reimbursable expenses, is not to exceed \$15,000.

**HSC:**

- (a) CON1725638 American Association of Collegiate Registrars; Comprehensive assessment of the Office of the Registrar; \$11,955.

**TTUHSC El Paso:**

- (a) 02513; Thomas Cleary; “Consultant Services Agreement” for TTHUSC El Paso campus, RE: Amending consulting services for initial application for independent Southern Association of Colleges and Schools Commission on Colleges accreditation, total contract value will be amended to \$24,500.
  - (b) 02805; Patton Healthcare Consulting Incorporated; “Consultant Services Agreement” for TTUHSC El Paso campus, RE: Amending consulting services for Joint Commission accreditation for one additional year, \$19,200.
  - (c) 04378; Emily Hill & Associates; “Consultant Services Agreement” for TTUHSC El Paso campus, RE: Consulting services for medical chart documentation and compliance for multiple clinical departments, \$15,000.
  - (d) 04436; CampellWilson LLP; “Consultant Services Agreement” for TTUHSC El Paso campus, RE: Consulting services for fiscal year 2016 uncompensated reporting, \$15,000.
- (3) TTUHSC: Approval of sponsored programs projects in excess of \$1,000,000 per annum as provided by Section 07.12.4.b., *Regents’ Rules* – “Notwithstanding Section 07.12.3.a, *Regents; Rules*, the board delegates to the presidents the authority to approve the proposals and execute and sign contracts for sponsored program projects in excess of \$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 \$1,000,000 per annum shall be provided to the board as an information item at the next regular board meeting.”
- (a) Bill and Melinda Gates Foundation grant funding entitled “Proof of concept trial of Sm-p80/GLA-SE schistosomiasis vaccine”; grant year 06/27/2017 through 08/31/2019; award amount \$2,394,006.

Regent Lancaster moved that the Consent Agenda be approved and that the Board acknowledge its review of the Information Agenda. The motion was seconded by Regent Lewis and passed unanimously.



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

- VIII. REPORTS OF STANDING COMMITTEES.—At 12:07 pm, at the direction of Chairman Francis, Standing Committee reports were presented sequentially to the Committee of the Whole.

VIII.A. REPORT OF THE AUDIT COMMITTEE

Committee Chair Mickey Long reported that the Audit Committee met in open session on October 20, 2017 to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended by the Audit Committee and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

- VIII.A.1. TTUS: Report on audits.—The Board accepted a report on the System’s audit projects, included herewith as Attachment No. 9 (TTUS FY 2018 Prioritized Audit Plan).
- VIII.A.2. Executive Session.— At 9:41 am, the Audit Committee convened into Executive Session, in the Board of Regents Committee Room (106), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas, as authorized by Sections 551.071, 551.074 and 551.076 of the *Texas Government Code*.
- VIII.A.3. Open Session.—At 9:55 am, the Audit Committee reconvened in open session in the Board of Regents Conference Room, (104A), First Floor, System Building, 1508 Knoxville Avenue, Lubbock, Texas, to consider items as a committee.

Regent Long stated that there were no motions to present from Executive Session.

VIII.B. REPORT OF THE FACILITIES COMMITTEE

Committee Chair John Esparza reported that the Facilities Committee met in open session on October 20, 2017 to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended by the Facilities Committee and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

- VIII.B.1. TTU: Approve Stage I design budgets for Phase II of the Sports Performance Complex & Jones Stadium South End Zone Facility design professional contract and amend that contract to include the renovation & expansion of the Football Training Facility.—The Board authorized the chancellor or the chancellor’s designee to (i) establish a Stage I design budget not to exceed \$650,000 to provide planning and schematic design services for Phase II of the Sports Performance Complex & Jones Stadium South End Zone Facility design professional contract. The South End Zone Facility total project budget is anticipated to be between \$45 - \$50 million; (ii) establish another Stage I design budget not to exceed \$250,000 to provide planning and schematic design services for the renovation & expansion of the Football Training Facility, with an anticipated total project budget of \$6,000,000; (iii) adjust the design professional’s contract budget by an amount not to exceed \$900,000; (iv) report the adjustments to the Texas Higher Education Coordinating Board; and (v) amend the design professional contract to reflect both scopes of work. The Stage I design budgets will be funded with gifts and donations and Athletics Revenue (cash).

(Chairman Francis disclosed that his bank had hired the design firm for this project to do interior design work on a new bank building in El Paso, but has been advised that his recusal on this agenda item was not required.)

The TTU Approve Stage I design budgets for Phase II of the Sports Performance Complex & Jones Stadium South End Zone Facility design professional contract and amend that contract to include the renovation & expansion of the Football Training Facility PowerPoint is included herewith as Attachment No. 10.

- VIII.B.2. TTU: Approve concept and Stage I design budget for a new Athletic Dining Facility.—The Board approved the concept for the project and authorized the chancellor or the chancellor’s designee to (i) establish a Stage I design budget of \$220,000 to provide planning and schematic design services for a new Athletic Dining Facility project with an anticipated budget of \$5,500,000; and (ii) award a design professional contract. The Stage I design budget will be funded with Athletics Revenue (cash).

The TTU Approve concept and Stage I design budget for a new Athletic Dining Facility PowerPoint is included herewith as Attachment No. 11.

- VIII.B.3. TTU: Approve scope and budget adjustment to the United Supermarkets Arena renovations project.—The Board authorized the chancellor or the chancellor’s designee to (i) adjust the scope and budget of the United Supermarkets Arena Renovations by \$268,000 for a total project budget of \$5,581,624; (ii) report the adjustment to the Texas Higher Education Coordinating Board; (iii) waive the board directed fees for landscape enhancements and public art associated with this expanded scope of work; (iv) complete the contract documents; and (v) amend the design-build contract. The budget adjustment will be funded with Athletics Revenue (cash).

The TTU Approve scope and budget adjustment to the United Supermarkets Arena renovations project PowerPoint is included herewith as Attachment No. 12.

- VIII.B.4. TTU: Approve naming lab within the College of Architecture.—The Board approved the naming of an interdisciplinary fabrication research lab located within the College of Architecture, as the “F. Marie Hall Collaborative Fabrication Shop.” The donor’s legal representative concurs with the naming of this interior space. Appropriate signage for the lab will specify the approved name.

The TTU Approve naming lab within the College of Architecture PowerPoint is included herewith as Attachment No. 13.

- VIII.B.5. TTU: Approve naming lab within the College of Engineering.—The Board approved the naming of a core sample research lab located within the Bob L. Herd Department of Petroleum Engineering in the Edward E. Whitacre Jr. College of Engineering, as the “Chevron Reservoir Rock Properties Laboratory and Workshop.” The donor’s legal representative concurs with the naming of this interior space. Appropriate signage for the lab will specify the approved name.

The TTU Approve naming lab within the College of Engineering PowerPoint is included herewith as Attachment No. 14.

- VIII.B.6. TTU: Approve text, installation and location of memorial(s) honoring Texas Tech University Medal of Honor recipients.—The Board approved the location, installation, and text of memorials honoring Texas Tech University alumni who are recipients of the Medal of Honor, as listed below.

Texas Tech University is honored to have two alumni who have been awarded the Medal of Honor. The Medal of Honor is the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States. The award is generally presented to its recipient by the President of the United States of America.

**Lt. George H. O'Brien, Jr.** is a 1950 graduate of Texas Technological College. Lt. O'Brien was awarded the Medal of Honor for his action during the Korean conflict.

**Medal of Honor  
Second Lieutenant George H. O'Brien, Jr.  
Bachelor of Arts in Geosciences 1950**

Citation:

For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as a rifle platoon commander of Company H, Third Battalion, Seventh Marines, First Marine Division in action against enemy aggressor forces. With his platoon subjected to an intense mortar and artillery bombardment while preparing to assault a vitally important hill position on the main line of resistance which had been overrun by a numerically superior enemy force on the preceding night, 2d Lt. O'Brien leaped from his trench when the attack signal was given and, shouting for his men to follow, raced across an exposed saddle and up the enemy-held hill through a virtual hail of deadly small-arms, artillery, and mortar fire. Although shot through the arm and thrown to the ground by hostile automatic-weapons fire as he neared the well-entrenched enemy position, he bravely regained his feet, waved his men onward, and continued to spearhead the assault, pausing only long enough to go to the aid of a wounded marine. Encountering the enemy at close range, he proceeded to hurl hand grenades into the bunkers and, utilizing his carbine to best advantage in savage hand-to-hand combat, succeeded in killing at least 3 of the enemy. Struck down by the concussion of grenades on 3 occasions during the subsequent action, he steadfastly refused to be evacuated for medical treatment and continued to lead his platoon in the assault for a period of nearly 4 hours, repeatedly encouraging his men and maintaining superb direction of the unit. With the attack halted he set up a defense with his remaining forces to prepare for a counterattack, personally checking each position, attending to the wounded and expediting their evacuation. When a relief of the position was effected by another unit, he remained to cover the withdrawal and to assure that no wounded were left behind. By his

exceptionally daring and forceful leadership in the face of overwhelming odds, 2d Lt. O'Brien served as a constant source of inspiration to all who observed him and was greatly instrumental in the recapture of a strategic position on the main line of resistance. His indomitable determination and valiant fighting spirit reflect the highest credit upon himself and enhance the finest traditions of the U.S. Naval Service.

**Private First Class Herman C. Wallace** was attending Texas Technological College in 1943 when he was called to service in the European theater of operations during World War II. PFC Wallace was killed in action on February 27, 1945.

**Medal of Honor  
PFC Herman C. Wallace  
Texas Tech University Freshman 1942-1943**

Citation:

For conspicuous gallantry and intrepidity while serving with Company B, 301<sup>st</sup> Combat Engineer Battalion, 76<sup>th</sup> Infantry Division. While helping clear enemy mines from a road, he stepped on a well-concealed S-type antipersonnel mine. Hearing the characteristic noise indicating that the mine had been activated and, if he stepped aside, would be thrown upward to explode above ground and spray the area with fragments, surely killing 2 comrades directly behind him and endangering other members of his squad, he deliberately placed his other foot on the mine even though his best chance for survival was to fall prone. Pvt. Wallace was killed when the charge detonated, but his supreme heroism at the cost of his life confined the blast to the ground and his own body and saved his fellow soldiers from death or injury.

Texas Tech University desires to recognize these brave men for their service and sacrifice for, and dedication to, the United States of America. It is the institution's hope that the memorial plaques and markers to be placed on the east entrance into Memorial Circle will be a fitting tribute to their legacies.

The cost for the memorials, including the granite monuments, bronze plaques, brickwork, and lighting, is estimated to be approximately \$35,000 to be paid with institutional funds.

The TTU Approve text, installation and location of memorial(s) honoring Texas Tech University Medal of Honor recipients PowerPoint is included herewith as Attachment No. 15.

VIII.B.7. TTUHSC: Approve budget adjustment to the Lubbock Expansion project.—The Board authorized the chancellor or the chancellor’s designee to (i) adjust the budget of the Lubbock Education, Research & Technology + West Expansion project in the amount not to exceed \$5,475,000 if no additional savings are identified for a total project budget of \$91,375,000; (ii) report the adjustment to the Texas Higher Education Coordinating Board; (iii) waive the board directed fees for landscape enhancements and public art associated with this budget adjustment; (iv) amend the Design Professional contract; (v) amend the Construction Manager Agent contract; and (vi) amend the Construction Manager at Risk contract. The budget adjustment will be funded with Higher Education Assistance Fund (“HEAF”) cash.

The Board also authorized the president to negotiate and execute any and all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

The TTUHSC Approve budget adjustment to the Lubbock Expansion project PowerPoint is included herewith as Attachment No. 16.

VIII.B.8. TTUS: Approve amendments to Chapter 08 (Facilities), Regents’ Rules, regarding approval of major construction projects.—The Board approved the following amendments to Chapter 08 (Facilities), *Regents’ Rules*.

Board approval of the amendment also includes an authorization for the Board Secretary to make technical/conforming changes elsewhere in the *Regents’ Rules* as needed. For example, changes in the numbering of subsections within Chapter 08 may require corresponding changes elsewhere in the *Regents’ Rules* where provisions cite a section number that has changed.

Modifications to *Regents’ Rules* policy are proposed to improve the construction project approval process, add more transparency for project budgets and the award of construction contracts, and enhance the management of contractual relationships with external partners. Accordingly, a series of amendments to the *Regents’ Rules* are proposed for major construction projects. [Major construction projects are those with a total budget of \$2.0 million or more.]

Key elements of the policy modifications include the separation of project approvals into two separate steps:

- **Board grants preliminary approval for the project ... “preliminary project approval.”** Before a contract with a design firm or construction manager for pre-construction planning work could be executed, the Board first must give preliminary approval for the project. The Board’s approval would involve the following: (1) approve a planning budget; and (2) authorize the use of external partners for pre-construction planning assistance.
  
- **Board authorizes construction of the project ... “proceed with construction approval.”** After preliminary project approval is granted and a sufficient level of project planning is complete, the proposed project is brought back to the Board for a second approval — an authorization to proceed with construction using the identified external partners.

Various other enhancements for major construction projects also are proposed for the *Regents’ Rules* policies.

The TTUS Amendments to Sections 08.01.2 and 08.01.3, *Regents’ Rules* and the TTUS Amend Chapter 08 (Facilities), *Regents’ Rules*, regarding approval of major construction projects PowerPoint are included herewith as Attachment No. 18 and Attachment No. 19, respectively.

- VIII.B.9. TTUS: Report on Facilities Planning and Construction projects.—The Board accepted a report on Facilities Planning and Construction managed projects, included herewith as Attachment No. 19 (The TTUS Facilities Planning and Construction Capital Projects Budget Analysis FY 2010-2016 Report (10/12/2017)) and Attachment No. 20 (TTUS Report on Facilities Planning and Construction Projects (Project data as of 09/29/2017) PowerPoint).

#### VIII.C. REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

Committee Chair John D. Steinmetz reported that the Finance and Administration Committee met in open session on October 20, 2017 to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended by the Finance and Administration Committee and

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

VIII.C.1. TTUS: Approve amendments to Chapter 07 (Fiscal Management), Regents' Rules, regarding certain medical services contracts.—The Board approved adoption of amendments to Chapter 07 (Fiscal Management).

Board approval of the amendment also included an authorization for the Board Secretary to make technical and conforming changes elsewhere in the *Regents' Rules* as needed. For example:

- Sec. 07.12.7 provides a summary table of required approvals for contracts that will need to be adjusted if the proposed amendments herein are adopted.
- The changes in the numbering of subsections within Sec. 07.12.4 may require corresponding changes elsewhere in the *Regents' Rules* where provisions cite a section number that has changed.

The TTUS Amendments to *Regents' Rules*, Section 07.12.4 is included herewith as Attachment No. 21.

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

Committee Chair John Walker reported that the Academic, Clinical and Student Affairs Committee met in open session on October 20, 2017 to consider those matters on its agenda and to formulate recommendations to the Board of Regents of the Texas Tech University System. Unless otherwise indicated, the actions set forth in the Minute Orders that follow were recommended by the Academic, Clinical and Student Affairs Committee and approved in open session and without objection by the Board of Regents of the Texas Tech University System.

VIII.D.1. ASU: Approve the addition of the Bachelor of Science Degree in Mechanical Engineering.—The Board approved the new degree program for the Bachelor of Science (“B.S.”) degree with a major in Mechanical Engineering in the David L. Hirschfield Department of Engineering within the College of Science and Engineering and authorized submission to the Texas Higher Education Coordinating Board seeking its approval for such a program and to the Southern Association of Colleges and Schools for its review. Implementation of this new program will begin in fall 2018.



VIII.D.2. ASU: Approve exceptions to Section 03.01.11.c., Regents' Rules (nepotism).—The Board approved the following exceptions to Section 03.01.11.c. Nepotism, *Regents' Rules*.

1. To allow Mrs. Marie-Clare Prisco to be employed as an instructor in English in the Department of English and Modern Languages where her husband, Dr. Laurence Musgrove, serves as the department chair. Mrs. Prisco will be directly supervised by Dr. Carolyn Gascoigne, Dean of the College of Arts and Humanities, who will also be responsible for all supervisory and personnel matters related to Mrs. Prisco's appointment. A new instructor who was to teach five classes of freshman composition resigned prior to the beginning of the fall semester. The pool of adjunct faculty had been exhausted and Mrs. Prisco qualified under the SACS criteria. Due to the urgency of filling the position, an emergency approval of a waiver of nepotism was requested and granted by Vice Chairman Tim Lancaster and ACS Committee Chairman John Walker. Ratification of the official approval of the waiver of nepotism is being requested.
2. To allow Mrs. Tonya Starkey to be employed as an adjunct in Social Work (.25) in the Department of Social Work where her husband, Dr. Thomas Starkey, serves as the department chair. Mrs. Starkey will be directly supervised by Dr. Leslie Mayrand, Dean of the Archer College of Health and Human Services, who will also be responsible for all supervisory and personnel matters related to Mrs. Starkey's appointment. The pool of adjunct faculty had been exhausted and Mrs. Starkey qualified under the SACS criteria.

These arrangements will be re-evaluated after the end of every academic year to assure there is effective management of the conflict of interest and determine whether modifications are necessary.

VIII.D.3. TTU: Approve appointments with tenure.—The Board approved the granting of tenure to faculty, as listed below, concurrently with their respective appointments to Texas Tech University effective September 2017.

Joseph Heppert, Ph.D., professor, Department of Chemistry and Biochemistry, College of Arts and Sciences, and Vice President for Research at Texas Tech University. Dr. Heppert is most recently a tenured professor of

chemistry and had served as director of the Center for Science Education at the University of Kansas.

Min Wang, Ph.D., associate professor, Department of Mathematics and Statistics, College of Arts and Sciences. Dr. Wang comes to Texas Tech from Michigan Tech University where he has been a tenured associate professor of statistics.

- VIII.D.4. TTU: Approve exception to Section 03.01.11, *Regents' Rules (nepotism)*.—The Board approved an exception to Section 03.01.11, *Nepotism, Regents' Rules*, to allow Dr. Steven Presley to be appointed chair of the Department of Environmental Toxicology where his daughter-in-law, Ms. Stephanie Presley, is employed as a unit manager. After consultation with the department faculty, Dean Brent Lindquist views Dr. Presley as the most qualified faculty member to lead the department going forward. Ms. Presley will be directly supervised by Dr. Todd Anderson – outgoing chair of the department and continuing as interim director of The Institute for Environmental and Human Health. Dr. Anderson will be responsible for Ms. Presley's day-to-day department activities and will conduct her annual performance evaluations and make recommendations regarding personnel and compensation actions related to Ms. Presley. Authorization and implementation of action in any such matters will circumvent Dr. Presley, the chair, and be directed to Dr. Randy McBee, associate dean for faculty affairs in the College of Arts and Sciences. This plan will be re-evaluated after the end of every academic year to assure there is effective management of the conflict of interest and determine whether modifications are necessary.
- VIII.D.5. TTU: Authorize president to begin process for establishing a tax-exempt 501(c)(3) organization.—The Board authorized the president to proceed with initial steps necessary to establish a tax-exempt 501(c)(3) organization, including filing required state and federal documents. The purpose of this organization will be to support and enhance education, research, and collaborative innovation opportunities for Texas Tech University System and each of its component institutions.
- VIII.D.6. TTU: Authorize president to execute consulting contracts related to analyzing feasibility and overall planning for a School of Veterinary Medicine.—The Board authorized the president or his designee to approve and execute contracts with Alastair E.

Cribb, DVM and John U. Thomson, DVM for the purpose of providing consulting services related to studying the feasibility of, and planning for, a School of Veterinary Medicine.

VIII.D.7. TTUHSC: Approve the name change and expansion of the ScD Program in Physical Therapy in Lubbock.—The Board approved the name change of the Doctor of Science in Physical Therapy Program (“ScDPT”) to the Doctor of Science in Rehabilitation Sciences Program (“ScDRS”) and expand the program to include three concentrations; Physical Therapy (“PT”), Occupational Therapy (“OT”) and Athletic Training (“AT”). The Board further authorized the submission by the executive vice president for Academic Affairs to the Texas Higher Education Coordinating Board and the Southern Association of Colleges and Schools Commission on Colleges seeking approval for such a program.

IX. OPEN SESSION.—At 12:12 pm the Board continued in open session in the Board of Regent Conference Room (104A), First Floor, System Administration Building, 1508 Knoxville Avenue, Lubbock, Texas, to consider items as the Committee of the Whole and Meeting of the Board.

IX.A. SCHEDULE FOR BOARD MEETINGS.—Mr. Lock presented the following schedule for future board meetings: December 14-15, 2017; March 1-2, 2018 (El Paso); May 17-18, 2018; August 9-10, 2018; October 2018 (TBD); and December 13-14, 2018.

IX.B. STUDENT GOVERNMENT ASSOCIATION REPORTS.—Chairman Francis called on the Student Government Association Presidents from Texas Tech University and Texas Tech University Health Sciences to present their report to the Board. [Note: The SGA Presidents for Angelo State University and Texas Tech University Health Sciences Center at El Paso were not present.]

IX.B.1. REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTU—Chairman Francis called on Robbie Meyer, president, Student Government Association, TTU, who presented a report from the Student Government Association. (NOTE: This report can be viewed in its entirety at the Board of Regents webpage under video archives.)

IX.B.2. REPORT BY STUDENT GOVERNMENT ASSOCIATION, TTUHSC.—Chairman Francis called on Austin Lunney, president, Student Government Association, TTUHSC, who presented a report from the Student Government Association.

(NOTE: This report can be viewed in its entirety at the Board of Regents webpage under video archives.)

X. EXECUTIVE SESSION.— At 12:24 pm, the Board recessed and convened into Executive Session as authorized by Sections 551.071, 551.072, 551.073, 551.074 and 551.076 of the *Texas Government Code* in the Board of Regents Committee Room (106), First Floor, System Administration Building, 1508 Knoxville Avenue.

XI. OPEN SESSION.— At 2:33 pm, the Board reconvened in open session in the Board of Regents Conference Room (104A), First Floor, System Administration Building, 1508 Knoxville Avenue to consider items as a Committee of the Whole and Meeting of the Board.

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

Vice Chairman Lancaster announced there were three motions resulting from Executive Session.

XI.A.1 Vice Chairman Lancaster moved that the Board delegate to the chancellor the authority to consider and act on a lease for parking space...under the terms and conditions set forth in Executive Session. The motion was seconded by Regent Huckabee and unanimously approved by the Board.

XI.A.2 Vice Chairman Lancaster moved that the Board delegate to President Lange the authority to consider and act on an acquisition of property pursuant to eminent domain at Texas Tech University Health Sciences Center at El Paso...under the terms and conditions set forth in Executive Session. The motion was seconded by Regent Long and unanimously approved by the Board.

XI.A.3 Vice Chairman Lancaster moved that the Board authorize the naming of a facility in accordance with the terms and conditions set forth in Executive Session...and delegate to the chancellor the authority to announce the naming at the appropriate time. The motion was seconded by Regent Long and unanimously approved by the Board.

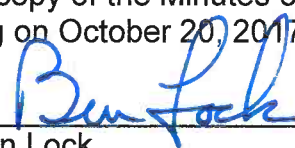
B. CHAIRMAN'S ANNOUNCEMENTS.—There were no announcements.

XII. ADJOURNMENT.—Chairman Francis adjourned the meeting at 2:51 pm.

## INDEX OF ATTACHMENTS

- Attachment 1 Texas Higher Education Coordinating Board ("THECB") Texas Tech University Board of Regents, 60x30TX,
- Attachment 2 TTUHSC El Paso OP 60.01, Tenure and Promotion Policy, with proposed revisions
- Attachment 3 TTUHSC El Paso OP 60.03, Comprehensive Performance Evaluation of Tenured Faculty, with proposed revisions
- Attachment 4 TTUHSC PLFSOM Procedure for Comprehensive Performance Evaluation of Tenured Faculty
- Attachment 5 ASU OP 16.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure
- Attachment 6 TTU OP 40.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure
- Attachment 7 TTUHSC OP 51.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure
- Attachment 8 TTUHSC El Paso OP 51.03 Sexual Harassment, Sexual Assault, Sexual Misconduct, and Title IX Policy and Complaint Procedure
- Attachment 9 TTUS FY 2018 Prioritized Audit Plan
- Attachment 10 TTU Approve Stage I design budgets for Phase II of the Sports Performance Complex & Jones Stadium South End Zone Facility design professional contract and amend that contract to include the renovation & expansion of the Football Training Facility PowerPoint
- Attachment 11 TTU Approve concept and Stage I design budget for a new Athletic Dining Facility PowerPoint
- Attachment 12 TTU Approve scope and budget adjustment to the United Supermarkets Arena renovations project PowerPoint
- Attachment 13 TTU Approve naming lab within the College of Architecture PowerPoint
- Attachment 14 TTU Approve naming lab within the College of Engineering PowerPoint
- Attachment 15 TTU Approve text, installation and location of memorial(s) honoring Texas Tech University Medal of Honor recipients PowerPoint
- Attachment 16 TTUHSC Approve budget adjustment to the Lubbock Expansion project PowerPoint
- Attachment 17 TTUS Amendments to Sections 08.01.2 and 08.01.3, *Regents' Rules*
- Attachment 18 TTUS Amend Chapter 08 (Facilities), *Regents' Rules*, regarding approval of major construction projects PowerPoint
- Attachment 19 TTUS Facilities Planning and Construction Capital Projects Budget Analysis FY 2010-2016 Report (10/12/2017)
- Attachment 20 TTUS Report on Facilities Planning and Construction Projects (Project data as of 09/29/2017) PowerPoint
- Attachment 21 TTUS Amendments to *Regents' Rules*, Section 07.12.4

I, Ben Lock, the duly appointed and qualified Secretary of the Board of Regents, hereby certify that the above and foregoing is a true and correct copy of the Minutes of the Texas Tech University System Board of Regents meeting on October 20, 2017.

  
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Ben Lock  
Secretary

SEAL