



TEXAS TECH UNIVERSITY SYSTEM

BOARD OF REGENTS

AGENDA BOOK

February 23-24, 2023



BOARD OF REGENTS
TEXAS TECH UNIVERSITY SYSTEM

AGENDA

February 23-24, 2023

BOARD OF REGENTS

Mr. Mark Griffin, Chairman
Mrs. Ginger Kerrick Davis, Vice Chair
Ms. Arcilia C. Acosta
Mr. Cody C. Campbell
Mr. Pat Gordon
Mr. J. Michael Lewis
Mr. John D. Steinmetz
Mr. John B. Walker
Mr. Dusty Womble
Mr. Hani Michael Annabi, Student-Regent

Standing Committee Chairs and Vice Chairs:

Academic, Clinical and Student Affairs:
Ginger Kerrick Davis (Chair); Pat Gordon (Vice Chair); and Hani Annabi (Student Regent)

Audit:

John Steinmetz (Chair) and Arcilia Acosta (Vice Chair)

Facilities:

Dusty Womble (Chair) and Mark Griffin (Vice Chair)

Finance and Investments:

John Walker (Chair) and Cody Campbell (Vice Chair)

[NOTE: All nine board members serve as voting members of each committee.]

AGENDA

Board of Regents Meeting**Odessa, Texas****February 23-24, 2023**Abbreviated Agenda with Approximate Times***Thursday, February 23, 2023****Meeting of Standing Committees**
(Conducted sequentially)

- | | |
|---|---|
| 9:00 am | Finance and Investments Committee
Location: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4 th Street, Odessa, Texas |
| 9:30 am
(or upon adjournment of the Finance Cmte. meeting) | Academic, Clinical and Student Affairs Committee
Location: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4 th Street, Odessa, Texas |
| 10:15 am
(or upon adjournment of the ACS Cmte. meeting) | Audit Committee
Location: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4 th Street, Odessa, Texas |
| 10:30 am
(or upon adjournment of the Audit Cmte. Meeting) | Facilities Committee
Location: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4 th Street, Odessa, Texas |

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*For general information. All open session meetings of the Board of Regents will take place in Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas. Any executive session meetings that should occur throughout the day will take place in Room 120, First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas. The times listed are estimates, with periodic recesses. On Thursday, February 23, 2023, committee meetings will commence, sequentially, no earlier than 9:00 am. The Board will convene the Meeting of the Board upon adjournment of the last committee meeting, or whenever deemed necessary, to accept two reports and then convene into Executive Session. The Meeting of the Board is expected to recess for the day on Thursday, February 23, 2023, on or before 4:05 pm; however, if needed, the meeting may continue beyond 4:05 pm until completed. The Meeting of the Board will reconvene on Friday, February 24, 2023, at 8:30 am. If necessary, the Meeting of the Board will recess after introductions/ recognitions at approximately 10:00 am to conduct any committee meetings which were not concluded on Thursday, February 23, 2023. The Meeting of the Board will reconvene upon adjournment of the any committee meeting(s), if applicable, at approximately 10:30 am to complete the remainder of its business. The Meeting of the Board is expected to adjourn on or before 11:30 am; however, if needed, the meeting may continue beyond 11:30 am until completed. The full board agenda is detailed on pages v 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**Odessa, Texas****February 23-24, 2023**Abbreviated Agenda with Approximate Times***Thursday, February 23, 2023**Meeting of the Board*CONTINUED FROM PREVIOUS PAGE*

- 11:05 am
(or adjournment of the last committee meeting)
- Call to Order; convene as Meeting of the Board and Committee of the Whole Board
- Report on Red Raider Facilities Foundation
 - Legislative Update
- Location: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas
- 11:45 am
- Executive Session
- Location: Room 120, First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas
- 4:00 pm
- Following Executive Session, reconvene into Open Session as Committee of the Whole
- ES Motions, if any
- Location: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas
- 4:05 pm
- Recess

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Board of Regents Meeting**Odessa, Texas****February 23-24, 2023**Abbreviated Agenda with Approximate Times***Friday, February 24, 2023****Meeting of the Board**

- 8:30 am Call to Order; reconvene as Meeting of the Board and Committee of the Whole Board
- Showcase of TTUHSC Odessa
 - Introductions and Recognitions
 - Approval of minutes
 - Approval of Consent and Information agendas
 - 2023 BOR meeting schedule
 - SGA President Reports
- Location: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas
- 10:30 am Executive Session, if necessary
Location: Room 120, First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas
- 11:20 am Following Executive Session, reconvene into Open Session as Committee of the Whole
- ES Motions, if any
 - Announcements
- Location: 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas
- 11:30 am Adjournment

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Board of Regents Meeting

February 23-24, 2023

Agenda

Thursday, February 23, 2023

**Room 101 (J'Nevelyn and Larry Melton Conference Center),
First Floor, Academic Classroom Building,
800 W. 4th Street,
Odessa, Texas**

I. Meeting of Standing Committees

Location: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas

A. Finance and Investments Committee

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- 1. ASU: Authorize president to execute contract with consulting company to develop a strategic enrollment plan..... 3
- 2. TTU: Authorize president to enter negotiations and execute a contract for building lease with Forge Commercial on behalf of Libitzky Property Companies 4
- 3. TTUS: FY 2022 Annual Combined Financial Report..... 6
- 4. TTUS: Investment Performance Update..... 7
- 5. Adjournment

B. Academic, Clinical and Student Affairs Committee

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- 1. ASU: Approve changes in academic rank 3
- 2. ASU: Approve changes in academic rank and granting of tenure 4
- 3. MSU: Approve changes in academic rank..... 6

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5.	TTU: Approve changes in academic rank.....	9
6.	TTU: Approve changes in academic rank and granting of tenure	12
7.	TTU: Approve granting of tenure	16
8.	TTU: Approve the designation of the Paul Whitfield Horn Distinguished Professorship	17
9.	TTU: Approve Master of Science (M.S.) Degree with a major in Animal Health and Industry	19
10.	TTU: Approve online delivery of the existing Doctor of Philosophy (Ph.D.) Degree with a major in Personal Financial Planning	21
11.	TTUHSC: Approve changes in academic rank	23
12.	TTUHSC: Approve changes in academic rank and granting of tenure	26
13.	TTUHSC: Approve granting of tenure	27
14.	TTUHSC El Paso: Approve changes in academic rank	28
15.	TTUS: Strategic report on research collaborations and growth.....	30
16.	Adjournment	
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1.	ASU: Authorize expenditures of the Elta Joyce Murphey Auditorium Renovation project for Design Professional Stage II design services.....	3

- 2. MSU: Authorize expenditures of the Bolin Hall Renovation and Expansion project for Design-Build Stage II design services 5
- 3. TTU: Approve concept and authorize expenditures for the West Village II Residence Hall project for Design-Build Stage I design services and Pre-construction services 7
- 4. TTU: Approve concept and authorize expenditures of the Architecture Building Renovation project for the Tommie J. Huckabee College of Architecture for Design Professional Stage I design services 9
- 5. TTUHSC: Approve expenditures of the Preston Smith Library – Third Floor Renovation project for Design Professional Stage II design services..... 11
- 6. TTUS: Report on Facilities Planning and Construction projects..... 13
- 7. Adjournment

II. Meeting of the Board—Call to Order; convene into

Open Session of the Board:..... Chairman Griffin
Location: Room 101 (J’Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas

- A. Report on Red Raider Facilities Foundation Chris Huckabee, Mark Fewin, and Kirby Hocutt
- B. Legislative Update..... Chancellor Mitchell

III. Executive Session: The Board will convene into Executive Session, in Room 120, First Floor, Academic Classroom Building, 800 W. 4th Street, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: Chairman Griffin

- 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
- IV. Open Session:** The Board will reconvene into Open Session in Room 101 (J’Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, 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 SessionVice Chairman Kerrick Davis
- V. Recess** Chairman Griffin

Friday, February 24, 2023
Room 101 (J’Nevelyn and Larry Melton Conference Center),
First Floor, Academic Classroom Building,
800 W. 4th Street,
Odessa, Texas

- VI. Meeting of the Board—Call to Order; reconvene into Open Session of the Board.** 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: Chairman Griffin
- A. Showcase of TTUHSC Odessa President Rice-Spearman
 - B. Introductions and Recognitions Chancellor Mitchell,
President Hawkins,
Interim President Lamb,
President Schovanec,
President Rice-Spearman, and
President Lange
- VII. Recess** (if necessary, for standing committees to meet; otherwise continue in Open Session (X.))
- VIII. Meeting of Standing Committees** (if not concluded on Thursday)

IX. Meeting of the Board—Call to Order; reconvene into Open Session of the Board (only if the Meeting of the Board was recessed to conduct committee meetings)

X. 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 the board meeting held on November 17, 2022..... Chairman Griffin

B. Committee of the Whole..... Vice Chairman Kerrick Davis

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CW

1. ASU, MSU, TTU, TTUHSC, TTUHSC El Paso, TTUSA and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda 9

Consent Agenda

- a. ASU: Approve emeritus appointment (ACS)
- b. TTU: Approve faculty development leaves of absence (ACS)
- c. TTU: Approve exception to nepotism policy (ACS)
- d. TTU: Approve emeritus appointments (ACS)
- e. TTUHSC: Approve emeritus appointments (ACS)
- f. TTUHSC: Approve revised School of Pharmacy Practice Income Plan Bylaws (ACS)
- g. TTUHSC El Paso: Approve conferral of emeritus appointments (ACS)
- h. TTU: Approve namings within the Baseball Clubhouse (F)
- i. TTU: Approve commissioning of police officer (FI)
- j. TTU: Approve acceptance of Gift-in-Kind benefitting Texas Tech University, J.T. and Margaret Talkington College of Visual & Performing Arts, School of Art (FI)
- k. TTU: Approve purchasing contract(s) in excess of \$1,000,000 (FI)
- l. TTU: Approve contract increase with Salesforce.com (FI)
- m. TTUHSC: Authorize president to finalize negotiations and enter into contract with Orchestra BioMed, Inc (FI)

- n. TTUS: Authorize negotiations with Gilly National Inc. for vending services (FI)

Information Agenda

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

- (1) ASU, MSU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2023 (as of November 30, 2022), per Section 01.02.8.d(3)(g), *Regents' Rules* – All actual expenditures will be reviewed by the Finance and Investments Committee annually and provided as information. Financial reports for the most recently completed quarter for each of the component institutions are available at:
<https://www.texastech.edu/offices/cfo/board-financial-reports.php>
- (2) TTUHSC and TTUHSC El Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules* – The following are excepted from the requirements of Section 07.12.3.a and Section 07.12.3.b, *Regents' Rules* – “the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract or new health related services contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000. Before such a contract may be executed, the president shall obtain the prior review of the TTU system Office of General Counsel and the TTU system vice chancellor and chief financial officer, or their designees. A list of health-related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”

- (3) ASU, MSU, TTU and TTUHSC: Consulting contracts with an initial consideration of \$100,000 or less per Section 07.12.4.e.(2), *Regents' Rules* – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$100,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (4) MSU, TTU and TTUHSC El Paso: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4 of the *Regents' Rules* – The following are excepted from the requirements of Section 07.12.3.a and 07.12.3 b, *Regents' Rules*, “the chancellor or president, or the chancellor or presidents designee, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.”
- (5) TTUHSC: Contracts for Sponsored Programs Projects per Section 07.12.4.b., *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.”

- (6) TTU: Emergency or exigent circumstances approval of a contract by Section 07.12.3.g, *Regents' Rules* – "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 or of the chair of the Finance and Investments Committee. Contracts approved in this manner shall be presented to the board as an information item at the next board meeting."

- (7) TTUHSC: Report of nepotism exception as provided by Section 03.01.11.h., *Regents' Rules* – "All instances where an employee marries an administrative supervisor, is placed under the administrative supervision of a relative, or is made the administrative supervisor of a relative within the prohibited degree shall be reported to the board as an information item."

- (8) TTUS: Named Funds per Section 13.02.3a., *Regents' Rules* – "The board delegates approvals to name endowments or other gift funds established through a private gift of less than \$5 million to the president of the benefitting institution, in consultation and cooperation with the chancellor and the vice chancellor of Institutional Advancement. Notice shall be provided to the board of regents as part of the information agenda at the next board meeting."

C. Schedule for Board meetings:
 May 4-5, 2023, Lubbock
 August 10-11, 2023, Lubbock
 November 16-17, 2023, Lubbock Keino McWhinney

D. Student Government Association Reports Trevor Bills,
 Gabriella Pettijohn,
 Austin Phillips,
 Brianna Mendoza
 and Georgia Hejny (Blackwell)

XI. Executive Session: The Board may convene into Executive Session, in Room 120, First Floor, Academic Classroom Building, 800 W. 4th Street, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: Chairman Griffin

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

XII. Open Session: The Board will reconvene into Open Session in Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, 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 Kerrick Davis
- B. Chairman’s Announcements Chairman Griffin

XIII. Adjournment Chairman Griffin

FINANCE AND INVESTMENTS

Finance and Investments Committee

Committee Meeting
February 23, 2023

Time: 9:00 am (or immediately following the swearing-in ceremony)

Place: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas

Regents: Walker (Chair) and Campbell (Vice Chair)
(The Finance and Investments Committee consists of all nine board members.)

Agenda

- Approve minutes of committee meeting held on November 17, 2022
- I.A.** Consideration of items to be recommended by the Finance and Investments Committee to the Board of Regents of the Texas Tech University System ("TTUS") for and on behalf of Angelo State University ("ASU"), Midwestern State University ("MSU"), 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 El Paso")

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| 1. | ASU: Authorize president to execute contract with consulting company to develop a strategic enrollment plan | 3 |
| 2. | TTU: Authorize president to enter negotiations and execute a contract for building lease with Forge Commercial on behalf of Libitzky Property Companies | 4 |
| 3. | TTUS: FY 2022 Annual Combined Financial Report..... | 6 |
| 4. | TTUS: Investment Performance Update | 7 |
| 5. | Adjournment | |

NOTE: All members of the Texas Tech University System Board of Regents serve as members on the Finance and Investments Committee. Action taken by this committee is final and does not require a report to the Full Board.

1. **ASU: Authorize president to execute contract with consulting company to develop a strategic enrollment plan.**

Presenter: Ms. Angie Wright

Presentation Time 3 minutes

Board approval required by: Section 07.12.3.e.(1)(a), *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents authorize the president, or his designee, to enter negotiations and execute a contract with CampusWorks to provide consulting services to develop a strategic enrollment management plan for Angelo State University ("ASU").

BACKGROUND INFORMATION

Angelo State University is seeking a partner to help build a Strategic Enrollment Management plan for our university. The purpose of the plan is to align our fiscal, academic, co-curricular, and enrollment resources with our changing environment to accomplish ASU's mission and ensure our long-term enrollment success and fiscal health. The plan will include all aspects of a student's journey from initial communications as a prospective student, to retaining and graduating students. At all times, we want to keep in mind our mission of delivering quality programs in a values-focused and student-centered teaching and learning environment.

The compensation will be contracted at \$139,820.00 plus travel costs.

Section 07.12.3.e.(1)(a), *Regents' Rules*, requires Board approval on consulting contracts with an initial consideration in excess of \$100,000 or a consulting contract where the initial consideration was \$100,000 or less and the modification will cause the total consideration to exceed \$100,000.

The vice president for finance and administration has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

2. TTU: Authorize president to enter negotiations and execute a contract for building lease with Forge Commercial on behalf of Libitzky Property Companies.

Presenter: Mrs. Noel Sloan

Presentation Time: 2 minutes

Board approval required by: 07.12.3.c and 07.12.3.d.1.b, *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents authorize the president, or his designee, to enter into negotiations and execute a contract with Forge Commercial on behalf of Libitzky Property Companies (“Libitzky”) for a building lease located at 4201 N State Highway 161, Irving, TX 75038 (“Airport Corporate Center”).

BACKGROUND INFORMATION

TTU eLearning & Academic Partnerships is seeking space in the DFW area to expand TTU’s footprint.

A regional site centrally located in the Dallas-Fort Worth (DFW) metropolitan area has the potential to attract a significant population of students, especially those who want to complete degrees, change careers, or augment their existing employment with new skills.

Given our strong brand in DFW, and the size of the population (it is the 4th largest metropolitan area in the nation, including our 60,000+ alumni community, we think we can offer multiple professionally oriented degrees that will appeal to a generous cross-section of students. These programs would be offered as hybrid courses (taught primarily online but meeting occasionally in person so students can network, meet with faculty and advisors). College deans, including those representing business, arts and sciences, human sciences, media and communication, education, and the graduate school, have committed to making programs available for instruction at the proposed DFW site. Eight, primarily graduate offerings are ready to begin as soon as the site is operational with 15 more planned to follow in subsequent phases beginning respectively in fall 2023 and fall 2024.

In addition to these for-credit class offerings, we also can provide micro-credential courses as well as other continuing and professional education, host conferences and speaker series, and engage in-person with our large DFW-based alumni community.

Term and termination. The proposed contract will be effective on the Commencement Date and include a term of eighty-four (84) months. The proposed contract will also include one additional 5-year renewal option. The contract does not allow TTU to terminate without cause.

Cost. The annual estimated expenses (rent, operating expenses, utilities, etc.) for the 27,048 RSF lease contract are as follows:

Year 1 Estimated Expenses: \$265,000
 Year 2 Estimated Expenses: \$675,000
 Year 3 Estimated Expenses: \$675,000
 Year 4 Estimated Expenses: \$690,000
 Year 5 Estimated Expenses: \$705,000
 Year 6 Estimated Expenses: \$720,000
 Year 7 Estimated Expenses: \$735,000

Total 7-year (84 month) estimate: \$4,465,000

Renewal Year 1 Estimated Expenses: \$750,000
 Renewal Year 2 Estimated Expenses: \$765,000
 Renewal Year 3 Estimated Expenses: \$780,000
 Renewal Year 4 Estimated Expenses: \$795,000
 Renewal Year 5 Estimated Expenses: \$810,000

Total 5-year (60 month) renewal estimate: \$3,900,000

Total estimated contract: \$8,365,000

*The fees are estimates and will vary depending on actual expenses. Libitzky has agreed to waive rent for the first year. TTU will be responsible for expenses. Annual RSF rate will increase \$.50/RSF each year.

The TTU Chief Procurement Officer has verified the solicitation and purchasing method (evaluation of three quotes and justification based upon pricing and location), and the contractor selection process complies with state law and TTU system policies. The Chief Procurement Officer also confirms there are not any anticipated issues that may arise in the solicitation, purchasing, or contractor selection process.

Section 07.12.3.c., *Regents' Rules*, requires each contract for the purchase of goods and services, with a value exceeding \$5,000,000 that the Chief Procurement Officer for the applicable component institution or the TTU system must submit to the board:

(1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU system policies; and
 (2) information on any potential issue that may arise in the solicitation, purchasing, or contractor selection process.

Section 07.12.3.d.1.b, *Regents' Rules*, requires Board approval on contracts that involve a sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years.

3. TTUS: FY 2022 Annual Combined Financial Report.

Presenter: Mr. James Mauldin

Presentation Time: 10 minutes

Report requested by: Audit Committee Charter

Mr. James Mauldin, Vice Chancellor and CFO, TTUS, will present a report on the FY 2022 annual combined financial statements of the TTU System.

4. TTUS: Investment Performance Update.

Presenter: Mr. James Mauldin

Presentation Time: 10 minutes

Report requested by: Board of Regents.

Mr. James Mauldin, Vice Chancellor and CFO, TTUS, will provide an update on the performance of TTUS investments.

**ACADEMIC,
CLINICAL AND
STUDENT AFFAIRS**

Academic, Clinical and Student Affairs Committee

Committee Meeting
February 23, 2023

Time: 9:30 am (or upon adjournment of the Finance and Investments Committee meeting)

Place: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas

Regents: Kerrick Davis (Chair) and Gordon (Vice Chair) and Hani Annabi (Student Regent)
(The Academic, Clinical, and Student Affairs Committee consists of all nine board members and the student regent.)

Agenda

- Approve minutes of committee meeting held on November 17, 2022
- I.B.** 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 (“ASU”), Midwestern State University (“MSU”), 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 El Paso”)

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NOTE: All members of the Texas Tech University System Board of Regents serve as members on the Academic, Clinical and Student Affairs Committee. Action taken by this committee is final and does not require a report to the Full Board.

1. ASU: Approve changes in academic rank.

Presenter: Dr. Donald R. Topliff

Presentation Time: 2 minutes

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

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve the changes in academic rank for the following faculty of Angelo State University ("ASU") as listed below, effective September 1, 2023.

Anthony D. Bartl, Ph.D., associate professor to professor, Department of Political Science and Philosophy, College of Arts and Humanities.

Han-Hung F. Huang, Ph.D., associate professor to professor, Department of Physical Therapy, Archer College of Health and Human Services.

Flor L. Madero, Ph.D., associate professor to professor, Department of Communication and Mass Media, College of Arts and Humanities.

Kendra L. Nicks, D.Sc.PT., associate professor to professor, Department of Physical Therapy, Archer College of Health and Human Services.

Charles A. Pier, Ph.D., associate professor to professor, Department of Accounting, Economics and Finance, Norris-Vincent College of Business.

Robert M. Pullin, Ph.D., associate professor to professor, Department of Security Studies and Criminal Justice, College of Arts and Humanities.

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 changes in academic rank and granting of tenure.

Presenter: Dr. Donald R. Topliff

Presentation Time: 2 minutes

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

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve the changes in academic rank and the granting of tenure, effective September 1, 2023, for the faculty of Angelo State University as listed below.

Tia L. Agan, Ed.D., assistant professor to associate professor and tenure, Department of Curriculum & Instruction, College of Education.

Dick T. Apronti, Ph.D., assistant professor to associate professor and tenure, David L. Hirschfeld Engineering Department, College of Science and Engineering.

Erica J. Bailey, Ph.D., assistant professor to associate professor and tenure, Department of Communication and Mass Media, College of Arts and Humanities.

Anthony D. Battistini, Ph.D., assistant professor to associate professor and tenure, David L. Hirschfeld Engineering Department, College of Science and Engineering.

Jennifer M. Braziel, D.N.P., assistant professor to associate professor and tenure, Department of Nursing, Archer College of Health and Human Services.

Dorothy D. Goddard, D.N.P., assistant professor to associate professor and tenure, Department of Nursing, Archer College of Health and Human Services.

Nicole M. Lozano, Ph.D., assistant professor to associate professor and tenure, Department of Psychology, Archer College of Health and Human Services.

Melissa R. McDowell, Ed.D., assistant professor to associate professor and tenure, Department of Nursing, Archer College of Health and Human Services.

Aldo R. Piñón-Villarreal, Ph.D., assistant professor to associate professor and tenure, David L. Hirschfeld Engineering Department, College of Science and Engineering.

Fagner M. Rocha, D.M.A., assistant professor to associate professor and tenure, Department of Visual and Performing Arts, College of Arts and Humanities.

Jeremy P. St. John, Ph.D., assistant professor to associate professor and tenure, Department of Management and Marketing, Norris-Vincent College of Business.

Saravanan Ramasamy, Ph.D., assistant professor to associate professor and tenure, Department of Chemistry & Biochemistry, College of Science and Engineering.

BACKGROUND INFORMATION

Members of the faculty of Angelo State 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 brings the number of full-time tenured faculty at Angelo State University to 159. There is a total of 217 faculty, either tenured or tenure-track. After these appointments, the percentage of tenure-track faculty who have been awarded tenure will be 73 percent. The number of full-time non-tenure-track faculty is 93.

3. MSU: Approve changes in academic rank.

Presenter: Dr. Marcy Brown Marsden

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; MSU Operating Policy 06.05.

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve changes in academic rank, effective September 1, 2023, for the faculty as listed below.

Promotion to Full Professor, Tenured Faculty:

Packiaraj Arumugham, Ph.D., associate professor to professor, Department of Social Work, Gunn College of Health Sciences and Human Services.

Todd Giles, Ph.D., associate professor to professor, Department of English, Prothro-Yeager College of Humanities and Social Sciences.

Susan Harvey, Ph.D., associate professor to professor, Department of Music, Fain College of Fine Arts.

Christina Janise McIntyre, Ph.D., associate professor to professor, Department of Undergraduate Education, West College of Education.

Stacia Whitworth Miller, Ph.D., associate professor to professor, Department of Graduate and Adult Education, West College of Education.

BACKGROUND INFORMATION

The faculty members whose names appear above have been judged by the appropriate departmental, collegiate, and university committees and administrative personnel as worthy of promotions for which they have been recommended. University policy (OP 06.05) for recommending the promotion of qualified members of the faculty has been carefully followed.

4. MSU: Approve changes in academic rank and granting of tenure.

Presenter: Dr. Marcy Brown Marsden

Presentation Time: 2 minutes

Board approval required by: Section 04.02, *Regents' Rules*; MSU Operating Policy 06.05

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve changes in academic rank and the granting of tenure, effective September 1, 2023, for the faculty as listed below.

Tenure and Promotion to Associate Professor:

Jason Bly, MFA, assistant professor to associate professor and tenure, Juanita and Ralph Harvey School of Visual Art, Fain College of Fine Arts;

Randy Case, Ph.D., assistant professor to associate professor and tenure, Department of Respiratory Care, Gunn College of Health Sciences and Human Services;

Mary Draper, Ph.D., assistant professor to associate professor and tenure, Department of History, Prothro-Yeager College of Humanities and Social Sciences;

Zeki Ilhan, Ph.D., assistant professor to associate professor and tenure, McCoy School of Engineering, McCoy College of Science, Mathematics, and Engineering;

Andrew Katumwehe, Ph.D., assistant professor to associate professor and tenure, Kimbell School of Geosciences, McCoy College of Science, Mathematics, and Engineering;

Eric Lynch, Ph.D., assistant professor to associate professor and tenure, Department of World Languages and Cultures, Prothro-Yeager College of Humanities and Social Sciences;

Catherine Pankonien, DNP, assistant professor to associate professor and tenure, Wilson School of Nursing, Gunn College of Health Sciences and Human Services;

Sandra Shawver, Ph.D., assistant professor to associate professor and tenure, Department of Graduate and Adult Education, West College of Education; and

Carrie Waisner-Taylor, Ph.D., assistant professor to associate professor and tenure, Department of Undergraduate Education, West College of Education.

BACKGROUND INFORMATION

The faculty members whose names appear above have been judged by the appropriate departmental, collegiate, and university committees and administrative personnel as worthy of promotion and tenure for which they have been recommended. University policy (OP 06.05) for recommending promotion and tenure of qualified members of the faculty has been carefully followed.

Approval of tenure of these individuals will bring the number of full-time tenured faculty at Midwestern State University in fall 2023 to 133. There are 181 full-time tenured or tenure-track faculty. After these appointments, the percentage of tenure-track faculty who have been awarded tenure will be 55 percent, and tenured faculty represent 28 percent of all faculty. Together, tenured and tenure-track faculty represent 38 percent of all faculty and 74 percent of all full-time faculty.

5. TTU: Approve changes in academic rank.

Presenter: Dr. Ronald Hendrick

Presentation Time: 2 minutes

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

The president recommends and the chancellor concurs that the Board of Regents approve changes in academic rank for the faculty of Texas Tech University, as listed below, effective September 1, 2023.

Rula Al-Hmoud, M.S., lecturer to senior lecturer, Department of Classical and Modern Languages and Literatures, College of Arts and Sciences.

Brian Ancell, Ph.D., associate professor to professor, Department of Geosciences, College of Arts and Sciences.

Will Armstrong, Ph.D., associate professor to professor, Area of Finance, Jerry S Rawls College of Business.

Eric Bruning, Ph.D., associate professor to professor, Department of Geosciences, College of Arts and Sciences.

Jongpil Cheon, Ph.D., associate professor to professor, Department of Curriculum and Instruction, College of Education.

Gordon Christopher, Ph.D., associate professor to professor, Department of Mechanical Engineering, Edward E Whitacre College of Engineering.

Alessandra Corsi, Ph.D., associate professor to professor, Department of Physics and Astronomy, College of Arts and Sciences.

Jill Davis, M.B.A., lecturer to senior lecturer, Area of Marketing and Supply Chain Management, Jerry S Rawls College of Business.

Irina Drigalenko., M.A., lecturer to senior lecturer, Department of Classical and Modern Languages & Literatures, College of Arts and Sciences.

Gerardo Gamez, Ph.D., associate professor to professor, Department of Chemistry and Biochemistry, College of Arts and Sciences.

Kristin Hales, Ph.D., associate professor to professor, Department of Animal and Food Sciences, Gordon W Davis College of Agricultural Sciences and Natural Resources.

Ashley Harry, M.S., lecturer to senior lecturer, Department of Kinesiology and Sports Management, College of Arts and Sciences.

Rui He, Ph.D., associate professor to professor, Department of Electrical and Computer Engineering, Edward E Whitacre College of Engineering.

Raegan Higgins, Ph.D., associate professor to professor, Department of Mathematics and Statistics, College of Arts and Sciences.

Victoria Howle, Ph.D., associate professor to professor, Department of Mathematics and Statistics, College of Arts and Sciences.

Kirk Kee, Ph.D., associate professor to professor, Department of Professional Communication, College of Media and Communication.

Clemens Krempner, Ph.D., associate professor to professor, Department of Chemistry and Biochemistry, College of Arts and Sciences.

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

Anthony LaStrape, Ph.D., assistant professor of practice to associate professor of practice, Department of Professional Communication, College of Media and Communication.

David Lektzian, Ph.D., associate professor to professor, Department of Political Science, College of Arts and Sciences.

Katharine Long, Ph.D., associate professor to professor, Department of Mathematics and Statistics, College of Arts and Sciences.

Amber McCord, Ph.D., assistant professor of practice to associate professor of practice, Department of Professional Communication, College of Media and Communication.

Dustin McDunn, Ph.D., assistant professor of practice to associate professor of practice, Department of Professional Communication, College of Media and Communication.

Ron Milam, Ph.D., associate professor to professor, Department of History, College of Arts and Sciences.

Bailey Palmer, M.S., lecturer to senior lecturer, Department of Kinesiology and Sports Management, College of Arts and Sciences.

Hazem Rashed-Ali, Ph.D., associate professor to professor, Tommie J Huckabee College of Architecture.

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

Andrea Romi, Ph.D., associate professor to professor, Area of Accounting
Jerry S Rawls College of Business.

Kamaleshwar Singh, Ph.D., associate professor to professor, Department of Environmental Toxicology, College of Arts and Sciences.

Chad Smith, Ph.D., lecturer to senior lecturer, Department of Kinesiology and Sports Management, College of Arts and Sciences.

Ludmilla Volchenkov, M.S., lecturer to senior lecturer, Department of Mathematics and Statistics, College of Arts and Sciences.

Theodore Waldron, Ph.D., associate professor to professor, Area of Finance, Jerry S Rawls College of Business.

Yanlin Wang, M.S., assistant professor of practice to associate professor of practice, Department of Classical and Modern Languages and Literatures, College of Arts & Sciences.

BACKGROUND INFORMATION

The faculty members whose names appear above have been judged by the respective department faculty, appropriate committees and administrative personnel as worthy of the promotions for which they have been recommended. University procedures (OP 32.01) for recommending promotion of qualified members of the faculty have been carefully followed.

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

Presenter: Dr. Ronald Hendrick

Presentation Time: 2 minutes

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

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve changes in academic rank, effective September 1, 2023, along with the granting of tenure, effective February 23, 2023, for the faculty of Texas Tech University as listed below.

Amanda Brown, Ph.D., assistant professor to associate professor with tenure, Department of Biological Sciences, College of Arts and Sciences.

Carissa D'Aniello-Heyda, Ph.D., assistant professor to associate professor with tenure, Department of Community, Family, and Addiction Sciences, College of Human Sciences.

Jessica Gottlieb, Ph.D., assistant professor to associate professor with tenure, Department of Educational Psychology, Leadership and Counseling, College of Education.

Eric Greenlee, Ph.D., assistant professor to associate professor with tenure, Department of Psychological Sciences, College of Arts and Sciences.

Michael Guillemette, Ph.D., assistant professor to associate professor with tenure, Department of Personal Financial Planning, College of Human Sciences.

Wei Guo, Ph.D., assistant professor to associate professor with tenure, Department of Mathematics and Statistics, College of Arts and Sciences.

John Harry, Ph.D., assistant professor to associate professor with tenure, Department of Kinesiology and Sport Management, College of Arts and Sciences.

Wei He, Ph.D., assistant professor to associate professor with tenure, Area of Information Systems and Quantitative Sciences, Jerry S Rawls College of Business.

Vijay Hegde, Ph.D., assistant professor to associate professor with tenure, Department of Nutritional Sciences, College of Human Sciences.

Ryan Huston, Ph.D., assistant professor to associate professor with tenure, Area of Accounting, Jerry S Rawls College of Business.

Paul Ingram, Ph.D., assistant professor to associate professor with tenure, Department of Psychological Sciences, College of Arts and Sciences.

Matthew Johnson, Ph.D., assistant professor to associate professor with tenure, Department of Biological Sciences, College of Arts and Sciences.

Jesse Jou, M.F.A., assistant professor to associate professor with tenure, School of Theatre and Dance, J.T. and Margaret Talkington College of Visual and Performing Arts.

Youngsoo Kim, Ph.D., assistant professor to associate professor with tenure, Area of Information Systems and Quantitative Sciences, Jerry S Rawls College of Business.

Xiaohan Ma, Ph.D., assistant professor to associate professor with tenure, Department of Economics, College of Arts and Sciences.

Vinicius Machado, Ph.D., assistant professor to associate professor with tenure, Department of Veterinary Sciences, Gordon W Davis College of Agricultural Sciences and Natural Resources.

Jennifer Nish, Ph.D., assistant professor to associate professor with tenure, Department of English, College of Arts and Sciences.

Phoebe Okungu, Ph.D., assistant professor to associate professor with tenure, Department of Special Education, College of Education.

Sandip Pal, Ph.D., assistant professor to associate professor with tenure, Department of Geosciences, College of Arts and Sciences.

Mihwa Park, Ph.D., assistant professor to associate professor with tenure, Department of Curriculum and Instruction, College of Education.

Beau Pihlaja, Ph.D., assistant professor to associate professor with tenure, Department of English, College of Arts and Sciences.

David Sears, Ph.D., assistant professor to associate professor with tenure, J.T. and Margaret Talkington College of Visual and Performing Arts.

Rosalyn Shim, Ph.D., assistant professor to associate professor with tenure, Department of Plant and Soil Sciences, Gordon W Davis College of Agricultural Sciences and Natural Resources.

Sungwon Shin, Ph.D., assistant professor to associate professor with tenure, Department of Curriculum and Instruction, College of Education.

Catherine Simpson, Ph.D., assistant professor to associate professor with tenure, Department of Plant and Soil Sciences, Gordon W Davis College of Agricultural Sciences and Natural Resources.

Sukhbir Singh, Ph.D., assistant professor to associate professor with tenure, Department of Plant and Soil Sciences, Gordon W Davis College of Agricultural Sciences and Natural Resources.

Allie Smith, Ph.D., assistant professor to associate professor with tenure, Honors College.

Nicholas Smith, Ph.D., assistant professor to associate professor with tenure, Department of Biological Sciences, College of Arts and Sciences.

George Tan, Ph.D., assistant professor to associate professor with tenure, Department of Industrial, Manufacturing, and Systems Engineering, Edward E Whitacre College of Engineering.

Jason Tham, Ph.D., assistant professor to associate professor with tenure, Department of English, College of Arts and Sciences.

Hung Tran, Ph.D., assistant professor to associate professor with tenure, Department of Mathematics and Statistics, College of Arts and Sciences.

Justin Tosi, Ph.D., assistant professor to associate professor with tenure, Department of Philosophy, College of Arts and Sciences.

Catherine Wakeman, Ph.D., assistant professor to associate professor with tenure, Department of Biological Sciences, College of Arts and Sciences.

Lucas Wood, Ph.D., assistant professor to associate professor with tenure, Department of Classical and Modern Languages and Literatures, College of Arts and Sciences.

Wenjing Zhang, Ph.D., assistant professor to associate professor with tenure, Department of Mathematics and Statistics, College of Arts and Sciences.

Julie Zook, Ph.D., associate professor to professor with tenure, Tommie J Huckabee College of Architecture.

BACKGROUND INFORMATION

The faculty members whose names appear above have been judged by the respective department faculty, appropriate committees, and administrative personnel as worthy of promotion and tenure for which they have been recommended. University procedures (OP 32.01) for recommending promotion and tenure of qualified members of the faculty have been carefully followed.

Approval of these individuals along with the other TTU tenure approvals being requested on this day will bring the number of full-time tenured faculty at Texas Tech University to 798. There are 1,117 full-time tenured and tenure-track faculty. After these appointments, the percentage of tenure-track faculty who have been awarded tenure will be 69.1%, and tenured faculty represent 42.5% of all faculty (including part-time). Together, tenured, and tenure-track faculty represent 61.4% of all faculty and 72.3% of all full-time faculty.

7. **TTU: Approve granting of tenure.**

Presenter: Dr. Ronald Hendrick

Presentation Time: 2 minutes

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

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve the granting of tenure for the faculty of Texas Tech University as listed below, effective February 23, 2023.

Dr. Clint Krehbiel, Ph.D., professor and dean with tenure, Department of Animal and Food Sciences, Gordon W Davis College of Agricultural Sciences and Natural Resources.

Dr. Angela Shaw, Ph.D., professor with tenure, Department of Animal and Food Sciences, Gordon W Davis College of Agricultural Sciences and Natural Resources.

Dr. Adam Smith, Ph.D., associate professor with tenure, Department of Chemistry and Biochemistry, College of Arts and Sciences.

BACKGROUND INFORMATION

The faculty members whose names appear above have been judged by the respective department faculty, appropriate committees and administrative personnel as worthy of tenure. University procedures (OP 32.01) for recommending tenure of qualified members of the faculty have been carefully followed.

Approval of these individuals along with the other TTU tenure approvals being requested on this day will bring the number of full-time tenured faculty at Texas Tech University to 798. There are 1,117 full-time tenured and tenure-track faculty. After these appointments, the percentage of tenure-track faculty who have been awarded tenure will be 69.1%, and tenured faculty represent 42.5% of all faculty (including part-time). Together, tenured, and tenure-track faculty represent 61.4% of all faculty, and 72.3% of all full-time faculty.

8. TTU: Approve the designation of the Paul Whitfield Horn Distinguished Professorship.

Presenter: Dr. Ronald Hendrick

Presentation Time: 2 minutes

Board approval required by: Section 04.01.1, *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve the designation of the Paul Whitfield Horn Distinguished Professor to the faculty member as listed below, effective February 24, 2023.

Nikhil Dhurandhar, Ph.D., Professor, and the Helen Devitt Jones Endowed Chair and Chair of the Department of Nutritional Sciences in the College of Human Sciences.

Dr. Dhurandhar joined the faculty of Texas Tech University as the Chair of the Department of Nutritional Sciences in 2014. Dr. Dhurandhar is a physician with a Bachelor's degree in Chemistry, an MS degree in Nutrition and Food Science, and a Ph.D. in Biochemistry. He received postdoctoral training in Nutrition and Clinical Nutrition. He started a private medical practice as an obesity specialist in his native India and, to date, has treated over 15,000 patients for obesity. Over the years, he helped set up three obesity management programs in India and 3 in the US. Dr. Dhurandhar has been creative and innovative in advancing research and thoughtful and purposeful in developing approaches for the betterment of people affected by obesity. His career has contributed to the field of obesity in three broad categories. Through basic and clinical research and practice, he continues to treat individuals affected by obesity. By enhancing obesity management efforts, he facilitates obesity care by health care providers. And through his service to The Obesity Society ("TOS"), Nutrition & Diabetes, and the International Journal of Obesity, he has been contributing to the field of obesity. Dr. Dhurandhar is a prolific writer with an h-index of 47 and 175 scientific publications, including many in high-visibility journals such as JAMA, Lancet Infectious Diseases, and Diabetes Care. He has also been listed in the Stanford University list of the top 2% of researchers worldwide for most publication citations. Dr. Dhurandhar has been awarded 40 research grants and served as principal investigator of six grants totaling \$3.2 million, including awards from the National Institutes of Health ("NIH") and the National Science Foundation ("NSF"). Additionally, he serves as a co-principal investigator on three other grants.

BACKGROUND INFORMATION

Section 04.01.1, *Regents' Rules*, requires Regents' approval of Horn Distinguished Professorships. In 1966, the Board of Regents established the Horn

Distinguished Professorship to recognize scholarly achievement and outstanding service to Texas Tech University. Subsequently, the Board has approved appointment of 92 members of the faculty to Horn Distinguished Professorships. Currently, 25 are actively on the faculty. [NOTE: The listing of Current Horn Professors is included as a supplemental attachment to the agenda book.]

Nominations of prospective Horn Distinguished Professors are made in confidence by the college deans, department chairs, and Horn Distinguished Professors. 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 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 Distinguished Professors appointed by the provost, review the nominations. The committee's recommendations, if any, are presented to the president for approval.

Nominations having the president's approval are submitted to the Board of Regents for final action.

9. TTU: Approve Master of Science (M.S.) Degree with a major in Animal Health and Industry.

Presenter: Dr. Ronald Hendrick

Presentation Time: 3 minutes

Board approval required by: Section 04.09.1, *Regents' Rules*; TTU Operating Policy 36.04 and Title 19, Part 1, Chapter 5, Subchapter C, *Texas Administrative Code*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve the new degree program, Master of Science (“M.S.”) degree with a major in Animal Health and Industry and authorize submission, by the Office of the Provost and Senior Vice President for Academic Affairs, to the Texas Higher Education Coordinating Board seeking its certification of such a program and as required to the Southern Association of Colleges and Schools for acknowledgment of a new degree program.

BACKGROUND INFORMATION

The proposed program is a Master of Science degree in Animal Health and Industry as a 30-hour non-thesis and a 36-hour thesis option. Both MS options will be offered face-to-face at the Lubbock campus, and the 30-hour non-thesis option will be offered fully online. The Animal Health and Industry major will target students who desire to pursue a career in animal health.

Data from the Bureau of Labor Statistics suggests that general animal science careers are expected to increase by 9% from 2019 to 2029. Much of the increase in jobs will be in more skilled labor focusing on science and technology. For example, it is expected that the animal health biotechnology field is expected to increase by 2% year-over-year in careers over the next decade. Many animal science undergraduate students have a passion for animal health and want to pursue a professional degree in Veterinary Medicine; unfortunately, the acceptance rates at Schools of Veterinary Medicine are low and are only approximately 10 to 15%. Potential careers of graduates from this program could be in the general fields of pharmaceutical sales, technical sales, nutritionist, research associates, or clinical or research veterinarian who wants to further their education in population-based medicine.

There are currently no degree programs in Texas that this degree proposal would duplicate or compete with. The only program in the state of Texas with a similar title to the proposed Master of Science in Animal Health & Industry is the Master of Science in Veterinary Public Health Epidemiology offered at Texas A&M University. The Texas A&M program is primarily for students who currently hold a DVM or MD degree and has a greater emphasis on population medicine and careers in public health.

In contrast, the Texas Tech Animal Health & Industry degree program proposal focuses on animal health and careers specifically related to animal health. Further, the non-thesis option will have an interdisciplinary focus incorporating courses and learning outcomes from animal science, food science/safety, veterinary science, agricultural economics, and agricultural communication study areas.

Enrollment projections presented in Table 1 are based on faculty input of student interest and student demand for the degree programs at the undergraduate level in animal science and pre-vet, which have increased by approximately 27% in the past three years.

Table 1 Enrollment projections for the MS in Animal Health & Industry

	Year 1	Year 2	Year 3	Year 4	Year 5
Total New Students	5	8	10	13	15
Attrition*	0	1	1	2	2
Cumulative Headcount	5	9	12	15	17
FTSE**	5	8	11	14	16
Graduates	3	6	9	11	13

* Attrition applied in the academic year.

** Full-time student equivalent average for the fall and spring semesters.

Projected costs and funding for the proposed MS in Animal Health and Industry are summarized in Table 2. The department currently has four full-time faculty, and this will be the only degree program offered. There are no new faculty costs associated with the proposed degree program. Fifty percent of the department's current business coordinator salary will be reallocated to the program. There are no new facilities and equipment costs required to support this program. The department's current salary budget, tuition and fees, and projected formula funding are sufficient to fund the proposed program.

Table 2

Five-Year Costs		Five-Year Funding	
Personnel (administration and salaries)	\$51,000	Reallocated Funds	\$0
Facilities and Equipment	\$0	Anticipated New Formula Funding	\$327,288
Other (Scholarships)	\$36,000	Tuition and fees	\$622,530
Total Costs	\$87,000	Total Funding	\$949,530

10. TTU: Approve online delivery of the existing Doctor of Philosophy (Ph.D.) Degree with a major in Personal Financial Planning.

Presenter: Dr. Ronald Hendrick

Presentation Time: 3 minutes

Board approval required by: Section 04.09.1, Regents' Rules; TTU Operating Policy 36.04 and Title 19, Part 1, Chapter 5, Subchapter C, Texas Administrative Code

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve adding online delivery to the existing Doctor of Philosophy ("Ph.D.") degree with a major in Personal Financial Planning and authorize submission, by the Office of the Provost and Senior Vice President for Academic Affairs, to the Texas Higher Education Coordinating Board seeking its certification of such a program and as required to the Southern Association of Colleges and Schools Commission on Colleges ("SACSCOC") for acknowledgment of a new degree program.

BACKGROUND INFORMATION

Texas Tech University's Ph.D. in Personal Financial Planning ("PFP") is presently approved by the Texas Higher Education Coordinating Board and SACSCOC for on-campus delivery on the Lubbock campus. This new synchronous online education program will integrate with our on-campus face-to-face program by offering our distance students synchronous online access via electronic media to existing courses. This additional modality will expand the population of Ph.D. students to professionals with PFP expertise and existing professional or academic experience who cannot otherwise participate in a traditional on-campus face-to-face program. This expanded population will increase the diversity and quality of our Ph.D. students and the reach and impact of our program. The goal is to enhance the quality of our Ph.D. program by adding the synchronous online modality and then grow strategically as faculty capacity allows.

The PFP program, one of only three PFP Ph.D. programs registered with the Certified Financial Planner Board in the U.S., boasts a strong national and international reputation and is widely recognized as the first and number one PFP program in the nation. In 2019, *Wealth Management* magazine conducted the first data-centric approach to measuring PFP program quality, and TTU's PFP program emerged as the top program among 130 CFP Board registered programs. The School of Financial Planning receives regular inquiries from prospective students regarding online access to the Ph.D. program. Without any marketing for a synchronous online program, approximately 12% of prospective student inquiries from August 1, 2021, through January 25, 2022, were for an online modality.

The job market for personal financial advisors is strong and growing. The U.S. Department of Labor, Bureau of Labor Statistics (“BLS”) reported 275,200 personal financial advisor jobs in 2020, with 5% projected employment growth over the next decade (2020 to 2030). According to the BLS, this growth trajectory will result in about 21,500 annual job openings to replace retiring and career-changing advisors. Moreover, the projected growth rate for postsecondary faculty is faster than average (12%), with about 139,600 new jobs expected annually from 2020 to 2030. In 2020, there were 1,276,900 postsecondary faculty jobs available.

Enrollment projections for the online student cohort are summarized in Table 1. The School of Personal Financial Planning will manage the growth of online students such that the overall Ph.D. student-to-faculty ratio is approximately 5:1.

Table 3 Projected enrollment for TTU’s proposed addition of online modality to the existing Ph.D. in PFP.

	Year 1	Year 2	Year 3	Year 4	Year 5
Total New Students	2	3	3	4	4
Attrition*	0	0	0	1	1
Cumulative Headcount	2	3	8	12	13
FTSE**	2	5	8	12	13
Graduates	0	0	0	2	3

* Attrition applied at the beginning of the following year.

**Full-time student equivalent average for the fall and spring semesters.

Projected costs and funding for the proposed online modality addition are summarized in Table 2. Because all courses are currently offered, and the classrooms are already equipped for synchronous online modality, there are no additional costs. Anticipated new formula funding plus institutional tuition and fees total \$1,542,632.

Table 4 Projected costs and revenues for TTU’s proposed addition of online modality to the existing Ph.D. in PFP.

Five-Year Costs		Five-Year Funding	
Personnel (administration and salaries)	\$0	Reallocated Funds	\$0
Facilities and Equipment	\$0	Anticipated New Formula Funding	\$1,117,043
Other (travel)	\$0	Tuition and fees	\$188,640
Total Costs	\$0	Total Funding	\$1,542,632

11. TTUHSC: Approve changes in academic rank.

Presenter: Dr. Darrin D'Agostino

Presentation Time: 2 minutes

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

RECOMMENDATION

The president recommends and chancellor concurs that the Board of Regents approve changes in academic rank, effective September 1, 2023, for the faculty as listed below.

Tenured Faculty:

Toby Brooks, PhD, associate professor to professor, Department of Rehabilitation Sciences, School of Health Professions

Troy Hooper, PhD, associate professor to professor, Department of Rehabilitation Sciences, School of Health Professions

Daniel Hardy, PhD, associate professor to professor, Department of Cell Biology & Biochemistry, School of Medicine

Hongjun Liang, PhD, associate professor to professor, Department of Cell Physiology & Molecular Biophysics, School of Medicine

Komaraiah Palle, PhD, associate professor to professor, Department of Cell Biology & Biochemistry, School of Medicine

Non-Tenure Track Faculty:

Jacque Knight, MS, instructor to assistant professor, Department of Laboratory Sciences & Primary Care, School of Health Professions

Susan Sneed, MS, instructor to assistant professor, Department of Speech, Language & Hearing Sciences, School of Health Professions

Melissa Whitaker, MS, instructor to assistant professor, Department of Speech, Language & Hearing Sciences, School of Health Professions

Olubukunola Adesanya, MD, MSPH, associate professor to professor, Department of Pediatrics, School of Medicine

Rebecca Baucom, MD, assistant professor to associate professor, Department of Surgery, School of Medicine

Cyrus Caroom, MD, associate professor to professor, Department of Orthopaedic Surgery, School of Medicine

Palika Datta, PhD, research assistant professor to research associate professor, Department of Pediatrics, School of Medicine

Michel Diab, MD, assistant professor to associate professor, Department of Orthopaedic Surgery, School of Medicine

James Felberg, MD, assistant professor to associate professor, Department of Family & Community Medicine, School of Medicine

Yohey Hashimoto, MD, assistant professor to associate professor, Department of Surgery, School of Medicine

Gurvinder Kaur, PhD, assistant professor to associate professor, Department of Medical Education, School of Medicine

Cassandra Kruczek, PhD, assistant professor to associate professor, Department of Medical Education, School of Medicine

Sai Siva Mungara, MD, assistant professor to associate professor, Department of Internal Medicine, School of Medicine

Edwin Onkendi, MD, assistant professor to associate professor, Department of Surgery, School of Medicine

Camilo Pena, MD, assistant professor to associate professor, Department of Internal Medicine, School of Medicine

Shabnam Rehman, MD, assistant professor to associate professor, Department of Internal Medicine, School of Medicine

Melissa Sanford, MD, assistant professor to associate professor, Department of Urology, School of Medicine

Matthew Timberlake, MD, assistant professor to associate professor, Department of Urology, School of Medicine

Irfan Warraich, MD, associate professor to professor, Department of Pathology, School of Medicine

Daniel Webster, PhD, associate professor to professor, Department of Medical Education, School of Medicine

Amber Wright, MD, assistant professor to associate professor, Department of Pediatrics, School of Medicine

Kellie Bruce, PhD, RN, FNP-BC, associate professor to professor,
Graduate Program, School of Nursing

Inola Mello, DNP, APRN, FNP-C, associate professor to professor,
Graduate Program, School of Nursing

Sandra Nease, MSN, RN, WCC, instructor to assistant professor,
Traditional Program, School of Nursing

Ryan Schalles, MSN, RN, CEN, TCRN, instructor to assistant professor,
Traditional Program, School of Nursing

Adrian Stamps, PhD, MSN, RN, CEN, CVRN, assistant professor to
associate professor, Non-Traditional Program, School of Nursing

Tiffani Wise, DNP, RN, CNE, assistant professor to associate professor,
Administration, School of Nursing

Mary Klein, PharmD, assistant professor to associate professor,
Department of Pharmacy Practice, Jerry H. Hodge School of Pharmacy

Rebecca Mahan, PharmD, assistant professor to associate professor,
Department of Pharmacy Practice, Jerry H. Hodge School of Pharmacy

Tenure Track Faculty:

Lekha George, MD, associate professor to professor, Department of
Internal Medicine, School of Medicine

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.

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

Presenter: Dr. Darrin D'Agostino

Presentation Time: 1 minute

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

RECOMMENDATION

The president recommends and the chancellor that the Board of Regents approve:

- i.) Changes in academic rank, effective September 1, 2023, and the granting of tenure, effective February 23, 2023, to the faculty as listed below.

Kelly Bennett, MD, associate professor to professor and tenure, Department of Family & Community Medicine, School of Medicine.

Felix Morales, MD, associate professor to professor and tenure, Department of Family & Community Medicine, School of Medicine.

Henrik Wilms, MD, PhD, associate professor to professor and tenure, Department of Neurology, School of Medicine.

- ii.) Changes in academic rank and the granting of tenure, effective September 1, 2023, to the faculty as listed below.

Larry R. Munger, PhD, assistant professor to associate professor and tenure, Department of Rehabilitation Sciences, School of Health Professions

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 and granting of tenure for which they have been recommended. The procedure used in recommending members of the faculty for promotion and tenure has been followed carefully.

Approval of tenure for these individuals, along with the other TTUHSC tenure approvals being requested on this day, brings the number of tenured faculty in all academic schools of Texas Tech University Health Sciences Center to 159. There are a total of 212 faculty either in the tenure-track or tenured. After these appointments, the percentage of tenure track faculty who have been awarded tenure will be approximately 75.00 percent. The number of faculty that is non-tenure track is 553.

13. TTUHSC: Approve granting of tenure.

Presenter: Dr. Darrin D'Agostino

Presentation Time: 2 minutes

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

RECOMMENDATION

The president recommends and the chancellor that the Board of Regents approve the granting of tenure, effective February 23, 2023, to the faculty as listed below.

Duke Appiah, PhD, associate professor, Department of Public Health, Julia Jones Matthews School of Population and Public Health.

Jeremy Donai, PhD, AuD associate professor, Department of Speech, Language & Hearing Sciences, School of Health Professions.

Ryan Schmidt, PhD, associate professor, Department of Healthcare Management & Leadership, School of Health Professions.

Yangzom Bhutia, DVM, PhD, associate professor, Department of Cell Biology & Biochemistry, School of Medicine.

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 granting of tenure for which they have been recommended. The procedure used in recommending members of the faculty for tenure has been followed carefully.

Approval of tenure at this BOR meeting for these individuals, along with the other TTUHSC tenure approvals being requested on this day, brings the number of tenured faculty in all academic schools of Texas Tech University Health Sciences Center to 159. There are a total of 212 faculty either in the tenure-track or tenured. After these appointments, the percentage of tenure track faculty who have been awarded tenure will be approximately 75.00 percent. The number of faculty that is non-tenure track is 553.

14. TTUHSC El Paso: Approve changes in academic rank.

Presenter: Richard A. Lange, MD, MBA

Presentation Time: 2 minutes

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

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve changes in academic rank effective September 1, 2023, to the faculty as listed below:

Tenured Faculty:

Huanyu Dou, M.D., associate professor to professor, Department of Molecular and Translational Medicine, Paul L. Foster School of Medicine

Tenure Track Faculty:

Thwe Htay, M.D., associate professor to professor,
Department of Medical Education, Paul L. Foster School of Medicine

Wendilywn Walker, Ph.D., assistant professor to associate professor,
Department of Molecular and Translational Medicine,
Paul L. Foster School of Medicine

Non-Tenure Track Faculty:

Alonso Andrade, M.D., assistant professor to associate professor,
Department of Surgery, Paul L. Foster School of Medicine

Luisa Bowcutt, M.S.N., A.P.R.N., C.N.M., instructor to assistant professor,
Gayle Greve Hunt School of Nursing

Ioannis Konstantinidis, M.D., assistant professor to associate professor,
Department of Surgery, Paul L. Foster School of Medicine

Sitratullah Maiyegun, M.D., associate professor to professor,
Department of Pediatrics, Paul L. Foster School of Medicine

Sarah Martin, M.D., assistant professor to associate professor,
Department of Psychiatry, Paul L. Foster School of Medicine

Jaclyn Reyes, M.S.N., R.N., instructor to assistant professor,
Gayle Greve Hunt 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.

15. TTUS: Strategic report on research collaborations and growth.

Presenters: Drs. David Bixler, Joseph Heppert
and Lance McMahon

Presentation Time: 15 minutes

Report requested by: Board of Regents

Drs. Bixler, Heppert and McMahon, will present a strategic report on research collaborations and growth.

AUDIT

Audit Committee

Committee Meeting
February 23, 2023

Time: 10:15 am (or upon adjournment of the Academic, Clinical, and Student Affairs Committee meeting)

Place: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas

Regents: Steinmetz (Chair) and Acosta (Vice Chair)
(The Audit Committee consists of all nine board members.)

Agenda

- Approve minutes of committee meeting held on November 17, 2022
- I.C.** 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 (“ASU”), Midwestern State University (“MSU”), 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 El Paso”)

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NOTE: All members of the Texas Tech University System Board of Regents serve as members on the Audit Committee. Action taken by this committee is final and does not require a report to the Full Board.

1. TTUS: Report on audits.

Presenter: Mrs. Kim Turner

Presentation Time: 5 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.

FACILITIES

Facilities Committee

Committee Meeting
February 23, 2023

Time: 10:30 am (or upon adjournment of the Audit Committee Meeting)

Place: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor,
Academic Classroom Building, 800 W. 4th Street, Odessa, Texas

Regents: Womble (Chair) and Griffin (Vice Chair)
(The Facilities Committee consists of
all nine board members.)

Agenda

- Approve minutes of committee meeting held on November 17, 2022
- I.D.** 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 (“ASU”), Midwestern State University (“MSU”), 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 El Paso”)

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- 5. TTUHSC: Approve expenditures of the Preston Smith Library – Third Floor Renovation project for Design Professional Stage II design services 11
- 6. TTUS: Report on Facilities Planning and Construction projects 13
- 7. Adjournment

NOTE: All members of the Texas Tech University System Board of Regents serve as members on the Facilities Committee. Action taken by this committee is final and does not require a report to the Full Board.

1. ASU: Authorize expenditures of the Elta Joyce Murphey Auditorium Renovation project for Design Professional Stage II design services.

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

Board approval required by: Section 08.01., *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents authorize the chancellor or the chancellor's designee to (i) approve expenditures of \$513,307 for a total of \$708,903 for the Elta Joyce Murphey Auditorium Renovation project, with an anticipated project budget of \$6,000,000; (ii) amend the Design Professional Agreement; and (iii) authorize Stage II design services. The total expenditures of \$708,903 which includes the previously approved \$195,596 will be funded through the Revenue Finance System ("RFS") repaid with gifts and Higher Education Funds ("HEF").

The Board reasonably expects to incur debt obligations for the design, planning and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$6,000,000.

The president further recommends that the chancellor authorize the president to negotiate and execute all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

BACKGROUND INFORMATION

This approval grants authority to amend the Design Professional Agreement for Stage II design services consisting of Design Development ("DD"), Construction Documents ("CD"), Construction Administration ("CA") Phases, and to provide a Statement of Probable Cost.

The project will provide life/safety and accessibility code review and analysis, programming, and design for the existing 8,205 SF, 400+ seat auditorium theatre with support spaces located inside the Sol Mayer Administration Building built in 1947. The proposed renovation project will renovate 5,679 SF of existing space, excluding the stage proper and below stage areas (dressing rooms, restrooms, etc.). The building will be expanded by approximately 598 GSF to accommodate additional restroom facilities for theater occupancy, accessibility, and plumbing code compliance. The lobby will be updated with new finishes, and lighting. The auditorium will be remodeled for accessibility compliance. The main entrance to the auditorium will be reworked to include new steps, and a TAS compliant ramp.

Additional electrical, mechanical, and plumbing distribution and fixtures will be provided.

In November 2022, the Board of Regents granted authorization to proceed with the Elta Joyce Murphey Auditorium Renovation project, with an anticipated project budget of \$6,000,000. Awarded a Design Professional Agreement and authorized Stage I design services to move forward on the project's vision through the programming and schematic design phases, provide a Statement of Probable Cost, and project schedule. Also, granted approval to waive the use of a Construction Manager Agent ("CMA"); waive the board directed fee for landscape enhancements; and waive the board directed fee for public art.

On June 14, 2022, ASU President Hawkins announced a major gift from local philanthropist and arts enthusiast Elta Joyce McAfee to help fund the restoration and renovation of ASU's University Auditorium, which will be re-named the Elta Joyce Murphey Auditorium. The auditorium is being commemorated under McAfee's given name of Murphey to honor her contribution and her family.

McAfee's contribution to the auditorium renovations is also just the latest example of her longstanding support of ASU. She has been a member of the ASU President's Circle since 1980, supports ASU athletics at the annual Phil George Blue & Gold Dinner and Auction, and has contributed to the ASU Friends of Art and Music Entertainment (FAME) Scholarship Endowment. She also supports the ASU Friends of the Library and the ASU Office of the Laura W. Bush Institute for Women's Health.

The May 5, 2022, Board of Regents' Minute Order from Executive Session authorized naming an area within an ASU facility in accordance with terms and conditions set forth in Executive Session and delegate to President Hawkins the authority to announce the naming at the appropriate time.

The vice president for finance and administration has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

2. MSU: Authorize expenditures of the Bolin Hall Renovation and Expansion project for Design-Build Stage II design services.

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

Board approval required by: Section 08.01., *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents authorize the chancellor or the chancellor's designee to (i) approve expenditures of \$2,914,544 for a total of \$4,127,748 for the Bolin Hall Renovation and Expansion project, with an anticipated project budget of \$38,656,000; (ii) amend the Design-Build Agreement; and (iii) authorize Stage II design services. The total expenditures of \$4,127,748, which includes the previously approved \$1,213,203 will be funded with a gift (\$5.0M cash) and through the Revenue Finance System ("RFS"), repaid with Capital Construction Assistance Projects ("CCAP") Legislative appropriations.

The Board reasonably expects to incur debt obligations for the design, planning and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$33,656,000.

The president further recommends that the chancellor authorize the president to negotiate and execute all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

BACKGROUND INFORMATION

This approval grants authority to amend the Design-Build Agreement for Stage II design services consisting of Design Development ("DD"), Construction Documents ("CD"), Construction Administration ("CA") Phases, and to provide a Statement of Probable Cost.

Bolin Hall, built in 1966 is a three-story facility containing a total of 91,736 GSF. The building consists of instructional spaces for Geosciences, Biology, Math, Chemistry, and Computer Science, along with ancillary storage spaces, administrative spaces, and a greenhouse. The Bolin Hall Renovation and Expansion project will include a roof replacement and partial renovation of the existing building and provide new space to address the programmatic needs of the sciences and math departments determined through the programming process.

Upon completion of a comprehensive Facility Assessment Report, Texas Tech University System and Midwestern State University will collectively make informed 'best value' decisions regarding the prioritized scope of the Work. In addition, the report will identify and disclose discovered building, life/safety and energy code issues that must be addressed relative to current code compliance and the instructional needs of the end users and key stakeholders. The finalized scope will incorporate educational concepts that facilitate student interaction, peer-to-peer learning, and open collaboration. It is critical to provide renovation of classrooms and lecture hall spaces that are appropriate for the class sizes and instructional pedagogies the university intends to implement, inclusive of building systems replacements and enhancements to facilitate spaces that create high quality learning environments. Outdated and underutilized space will be evaluated and re-programmed to maximize utilization within the facility and academic program needs.

A significant part of the project's scope is to upgrade, replace, and retro-commission the existing mechanical, electrical, and plumbing systems to gain energy efficiencies as well as comply with the current energy and building codes. This will include an addition to a recently installed partial fire sprinkler system, replacement of the pneumatic control system with Andover digital controls, replacement/retrofit of air handling equipment, replacement of exhaust fans, upgrade of electrical switchgear and transformers, replacement of the existing network system, a new temperature control system for the greenhouse, and accessibility upgrades to the restroom facilities in the building.

In November 2022, the Board of Regents granted authorization to proceed with the Bolin Hall Renovation and Expansion project through the Capital Construction Assistance Projects with an anticipated total budget of \$38,656,000. Awarded a Design-Build Agreement and authorized Stage I design services to move forward on the project's vision through the programming and schematic design phases, provide a Statement of Probable Cost, and project schedule. Authorizes pre-construction activities associated with the planning and design process, i.e., project evaluation; site analysis; constructability review; value engineering; scheduling; cost control; and development of a Guaranteed Maximum Price ("GMP").

In May 2022, the Board of Regents acknowledged that on April 19, 2022, the chair granted an exigent circumstances approval that authorized use of the Revenue Finance System for the individual total project budgets of the Capital Construction Assistance Projects for TTU System institutions.

The vice president for administration and finance has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

3. TTU: Approve concept and authorize expenditures for the West Village II Residence Hall project for Design-Build Stage I design services and Pre-construction services.

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

Board approval required by: Section 08.01., Section 08.01.3.e, Section 08.02.4.a., and Section 08.02.6, *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve the concept for the project and authorize the chancellor or the chancellor's designee to (i) approve expenditures of \$640,397 in order to provide planning and design services for the West Village II Residence Hall project, with an anticipated project budget of \$38,000,000; (ii) waive the use of a Construction Manager Agent ("CMA"); (iii) waive the board directed fees for landscape enhancements; (iv) waive the board directed fees for public art; (v) award a Design-Build Agreement; and (vi) authorize Stage I design services and pre-construction services. The expenditures will be funded through the Revenue Finance System ("RFS") repaid with University Student Housing funds.

The Board reasonably expects to incur debt obligations for the design, planning and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$38,000,000.

The president further recommends that the chancellor authorize the president to negotiate and execute all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

BACKGROUND INFORMATION

This approval grants authority for the Design-Build firm to proceed with Stage I services and move forward on the project's vision through the programming and schematic design phases, provide a Statement of Probable Cost, and project schedule. Provide pre-construction activities associated with the planning and design process, i.e., project evaluation; site analysis; constructability review; value engineering; scheduling; cost control; and development of a Guaranteed Maximum Price ("GMP"). Waive the board directed fees for landscape enhancements, and waive the board directed fees for public art.

The project will construct an approximate 105,000 GSF structure, located west of West Village A (undergraduate), and east of Knoxville Avenue. The expected occupancy is upper-class undergraduate students. The facility will provide approximately 300 beds, with a room layout similar to Talkington Hall and/or

Murray Hall. The preferred spaces are predominately 4-person suites with each student having a single room, 2 bathrooms shared by only 2 students in the suite, and common living area. The building will also provide spaces for maintenance and housekeeping staff, storage for both housing staff and student leadership, and the necessary infrastructure for the project.

Section 08.01.3.e., *Regents' Rules*, major construction projects (those in excess of \$4 million), requires the projects to be managed by FP&C with the assistance of a Construction Manager-Agent ("CMA") per Section 51.781, Texas Government Code, or an alternative method recommended by FP&C, the institution's president, and the chancellor and approved by the board.

Section 08.02.4.a., *Regents' Rules*, Each project shall include a statement from the chancellor and/or president as to whether public art is applicable based on the scope of the project, campus location, and proximity to other public art. If applicable, up to one percent (1%) or a maximum of \$500,000, whichever is less, of the original board approved total project budget of each 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.

Section 08.02.6, *Regents' Rules*, each project shall include a statement from the chancellor and/or president as to whether landscape enhancement is applicable based on the scope of the project, campus location, and proximity to other landscaping. If applicable, up to one percent (1%) or a maximum of \$500,000, whichever is less, of the original board approved total project budget of each new major construction project will be allocated to the enhancement of exterior landscape, hardscape, and waterscape features unless an exception is granted by the board.

The senior vice president of administration & finance and chief financial officer has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

4. TTU: Approve concept and authorize expenditures of the Architecture Building Renovation project for the Tommie J. Huckabee College of Architecture for Design Professional Stage I design services.

Presenter: Mr. Billy Breedlove

Presentation Time: 10 minutes

Board approval required by: Section 08.01., *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve the concept for the project and authorize the chancellor or the chancellor's designee to (i) approve expenditures of \$49,000 in order to provide planning and design services for the Architecture Building Renovation project for the Tommie J. Huckabee College of Architecture, with an anticipated project budget of \$30,000,000; and (ii) award the Design Professional Agreement and authorize Stage I design services. The expenditures will be funded through the Revenue Finance System ("RFS") repaid with gifts and Higher Education Funds ("HEF").

The Board reasonably expects to incur debt obligations for the design, planning and construction of the project, and all or a portion of the debt proceeds are reasonably expected to be used to reimburse the System for project expenditures previously expended. The maximum principal amount of debt obligations to be issued for the Project is \$30,000,000.

The president further recommends that the chancellor authorize the president to negotiate and execute all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

BACKGROUND INFORMATION

This approval grants authorization to proceed with the Architecture Building Renovation project for the Tommie J. Huckabee College of Architecture, with an anticipated project budget of \$30,000,000. Award a Design Professional Agreement and authorize Stage I design services to move forward on the project's vision through the programming and schematic design phases, provide a Statement of Probable Cost, and project schedule.

The design professional was selected from the TTU System's approved design professional pre-qualification list. The firm Huckabee & Associates was selected based upon their extensive expertise in the design of educational facilities.

In 1927, the Architecture program began as part of the College of Engineering. The emphasis of the program at that time was advanced construction and mechanical equipment of buildings. By 1932, the Department of Architecture and

Allied Arts was born. The emphasis expanded from engineering and structures to include design, and a Bachelor of Commercial Art was offered in addition to the Bachelor of Science in Architectural Engineering. By 1957 the program was accredited with the National Architectural Accrediting Board and has been continuously accredited ever since.

In 1971 the department moved from multiple barracks within the Engineering Key area, to its current building located on the corner of 18th and Flint Avenue. The high-rise structure contains 154,408 GSF and has 10 occupied floors plus a penthouse, basement, and sub-basement. In 1975 the board of regents designated the architecture program as the Division of Architecture, and by 1986 the division of architecture would become an independent college...The College of Architecture.

On November 30, 2022, Texas Tech University announced the renaming of the College of Architecture to the "Tommie J. Huckabee College of Architecture." The generous donation from the Huckabee Family to name the college sets the stage for major renovations and an addition to the 53-year old building, thereby insuring TTU's long-standing tradition of educating skilled, competent, and highly sought after architects.

The proposed scope of work includes evaluation, renovation, and programming of the interior spaces to maximize utilization within the facility and academic program needs. The interior spaces entail all the existing studios, offices, gallery, classrooms, and restrooms. Updates to the furniture, fixtures, and equipment will be provided as well. Analysis of the building's infrastructure and improvements to such will comprise the mechanical, electrical, plumbing, technology, AV, and security systems. Improvements to the building's façade, site work, and landscaping improvements will be provided.

The senior vice president for administration and finance and chief financial officer has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

5. TTUHSC: Approve expenditures of the Preston Smith Library – Third Floor Renovation project for Design Professional Stage II design services.

Presenter: Mr. Billy Breedlove

Presentation Time: 5 minutes

Board approval required by: Section 08.01., Section 08.01.3.e, Section 08.02.4.a., and Section 08.02.6, *Regents' Rules*

RECOMMENDATION

The president recommends and the chancellor concurs that the Board of Regents approve the concept for the project and authorize the chancellor or the chancellor's designee to (i) authorize initiation of the Preston Smith Library Third Floor Renovation project; (ii) approve expenditures of \$549,354 in order to provide Stage II design services for the Preston Smith Library Third Floor Renovation project, with an anticipated project budget of \$9,000,000; (iii) waive the use of a Construction Manager Agent ("CMA"); (iv) waive the board directed fee for landscape enhancements; (v) waive the board directed fee for public art; and (vi) award the Design Professional Agreement and authorize Stage II design services. The expenditures will be funded with Higher Education Funds ("HEF") (cash), Institutional Funds (cash), and/or Gifts.

The president further recommends that the chancellor authorize the president to negotiate and execute all agreements with city, state, and county agencies, utility companies and other entities required to successfully complete the project.

BACKGROUND INFORMATION

This approval grants authorization to proceed with the Preston Smith Library Third Floor Renovation project with an anticipated total budget of \$9,000,000. Awards a Design Professional Agreement and authorizes Stage II design services. Also, grants approval to waive the use of a Construction Manager Agent ("CMA"); waive the board directed fee for landscape enhancements; and waive the board directed fee for public art.

The Preston Smith Library (PSL), a 116,958 GSF facility, was constructed in 1998. Student needs and library functions have changed significantly since the library building was originally constructed. Reference and resource needs have shifted from physical space to the cloud, and space that once housed stacks of books are now empty. The redesign of the Preston Smith Library building into a Center of Innovation for faculty development and collaborative student learning space will serve to elevate this vital campus resource into the digital age.

The project will renovate a total of 29,837 GSF within the Preston Smith Library. The focus of this project will be to reconfigure the entire Third Floor to include student study rooms, open study spaces with new furniture, lobby vending area,

and a tranquility room. Additionally, the existing restrooms will undergo a full renovation.

Section 08.01.3.e., *Regents' Rules*, major construction projects (those in excess of \$4 million), requires the projects to be managed by FP&C with the assistance of a Construction Manager-Agent ("CMA") per Section 51.781, Texas Government Code, or an alternative method recommended by FP&C, the institution's president, and the chancellor and approved by the board.

Section 08.02.4.a., *Regents' Rules*, each project shall include a statement from the chancellor and/or president as to whether public art is applicable based on the scope of the project, campus location, and proximity to other public art. If applicable, up to one percent (1%) or a maximum of \$500,000, whichever is less, of the original board approved total project budget of each 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.

Section 08.02.6, *Regents' Rules*, each project shall include a statement from the chancellor and/or president as to whether landscape enhancement is applicable based on the scope of the project, campus location, and proximity to other landscaping. If applicable, up to one percent (1%) or a maximum of \$500,000, whichever is less, of the original board approved total project budget of each new major construction project will be allocated to the enhancement of exterior landscape, hardscape, and waterscape features unless an exception is granted by the board.

The executive vice president of finance and operations has verified the source of funds. The vice chancellor and chief financial officer of the TTU System also acknowledges the source of the funds for this project.

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

Presenter: Mr. Billy Breedlove
Report requested by: Board of Regents

Presentation Time: 5 minutes

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

**MEETING OF THE
BOARD/
COMMITTEE OF
THE WHOLE**

Meeting of the Board
Thursday, February 23, 2023

- I. Meeting of Standing Committees:** Conducted sequentially and separately from the Meeting of the Board beginning no earlier than 9:00 am—refer to agenda for each respective committee meeting.
Location: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas
-
-

Time: 11:05 am (or upon adjournment of the last committee meeting of the day)
Place: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, Odessa, Texas

Agenda

- II. Meeting of the Board—Call to Order; convene into Open Session of the Board** Chairman Griffin
- A. Report on Red Raider Facilities Foundation Chris Huckabee, Mark Fewin, and Kirby Hocutt
- B. Legislative Update..... Chancellor Mitchell
- III. Executive Session:** The Board will convene into Executive Session in Room 120, First Floor, Academic Classroom Building, 800 W. 4th Street, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example: Chairman Griffin
- 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

IV. Open Session: The Board will reconvene in Open Session in Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, 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 Kerrick Davis

V. Recess Chairman Griffin

Meeting of the Board
Friday, February 24, 2023

Time: 8:30 am

Place: Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor,
Academic Classroom Building, 800 W. 4th Street, Odessa, Texas

Agenda

- VI. Meeting of the Board—Call to Order; reconvene into Open Session of the Board** Chairman Griffin
 - A. Showcase of TTUHSC Odessa President Rice-Spearman
 - B. Introductions and Recognitions Chancellor Mitchell,
President Hawkins,
Interim President Lamb,
President Schovanec
President Rice-Spearman, and
President Lange

- VII. Recess** (if necessary, for standing committees to meet; otherwise continue in Open Session (X.)) Chairman Griffin

- VIII. Meeting of Standing Committees** (if not concluded on Thursday)

- IX. Meeting of the Board—Call to Order; reconvene into Open Session of the Board** (only if the Meeting of the Board was recessed to conduct committee meetings) Chairman Griffin

- X. 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 meetings held on November 17, 2022..... Chairman Griffin
 - B. Committee of the Whole..... Vice Chairman Kerrick Davis

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- 1. ASU, MSU, TTU, TTUHSC, TTUHSC El Paso, TTUSA, and TTUS: Approve Consent Agenda; acknowledge review of Information Agenda 9

Consent Agenda

- a. ASU: Approve emeritus appointment (ACS)
- b. TTU: Approve faculty development leaves of absence (ACS)
- c. TTU: Approve exception to nepotism policy (ACS)
- d. TTU: Approve emeritus appointments (ACS)
- e. TTUHSC: Approve emeritus appointments (ACS)
- f. TTUHSC: Approve revised School of Pharmacy Practice Income Plan Bylaws (ACS)
- g. TTUHSC El Paso: Approve conferral of emeritus appointments (ACS)
- h. TTU: Approve namings within the Baseball Clubhouse (F)
- i. TTU: Approve commissioning of police officer (FI)
- j. TTU: Approve acceptance of Gift-in-Kind benefitting Texas Tech University, J.T. and Margaret Talkington College of Visual & Performing Arts, School of Art (FI)
- k. TTU: Approve purchasing contract(s) in excess of \$1,000,000 (FI)
- l. TTU: Approve contract increase with Salesforce.com (FI)
- m. TTUHSC: Authorize president to finalize negotiations and enter into contract with Orchestra BioMed, Inc (FI)
- n. TTUS: Authorize negotiations with Gilly National Inc. for vending services (FI)

Information Agenda

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

- (1) ASU, MSU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2023 (as of November 30, 2022), per Section 01.02.8.d(3)(g), *Regents' Rules* – All actual expenditures will be reviewed by the Finance and Investments Committee annually and provided as information. Financial reports for the most recently completed quarter for each of the component institutions are available at:

<https://www.texas-tech.edu/offices/cfo/board-financial-reports.php>

- (2) TTUHSC and TTUHSC El Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules* – The following are excepted from the requirements of Section 07.12.3.a and Section 07.12.3.b, *Regents' Rules* – “the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract or new health related services contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000. Before such a contract may be executed, the president shall obtain the prior review of the TTU system Office of General Counsel and the TTU system vice chancellor and chief financial officer, or their designees. A list of health-related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”
- (3) ASU, MSU, TTU and TTUHSC: Consulting contracts with an initial consideration of \$100,000 or less per Section 07.12.4.e.(2), *Regents' Rules* – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$100,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”
- (4) MSU, TTU and TTUHSC El Paso: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum

amount is less than \$1,000,000 per section 07.12.4 of the *Regents' Rules* – The following are excepted from the requirements of Section 07.12.3.a and 07.12.3 b, *Regents' Rules*, “the chancellor or president, or the chancellor or presidents designee, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.”

- (5) TTUHSC: Contracts for Sponsored Programs Projects per Section 07.12.4.b., *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.”
- (6) TTU: Emergency or exigent circumstances approval of a contract by Section 07.12.3.g, *Regents' Rules* – “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 or of the chair of the Finance and Investments Committee. Contracts approved in this manner shall be presented to the board as an information item at the next board meeting.”
- (7) TTUHSC: Report of nepotism exception as provided by Section 03.01.11.h., *Regents' Rules* – “All instances where an employee marries an

administrative supervisor, is placed under the administrative supervision of a relative, or is made the administrative supervisor of a relative within the prohibited degree shall be reported to the board as an information item.”

- (8) TTUS: Named Funds per Section 13.02.3a., *Regents’ Rules* – “The board delegates approvals to name endowments or other gift funds established through a private gift of less than \$5 million to the president of the benefitting institution, in consultation and cooperation with the chancellor and the vice chancellor of Institutional Advancement. Notice shall be provided to the board of regents as part of the information agenda at the next board meeting.”

- C. Schedule for Board meetings:
 May 4-5, 2023, Lubbock
 August 10-11, 2023, Lubbock
 November 16-17, 2023, Lubbock Keino McWhinney
- D. Student Government Association Reports Trevor Bills,
 Gabriella Pettijohn,
 Austin Phillips,
 Brianna Mendoza,
 and Georgia Hejny (Blackwell)

XI. Executive Session: The Board may convene into Executive Session in Room 120, First Floor, Academic Classroom Building, 800 W. 4th Street, to consider matters permissible under Chapter 551 of the *Texas Government Code*, including, for example:Chairman Lewis

- 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

XII. Open Session: The Board will reconvene in Room 101 (J'Nevelyn and Larry Melton Conference Center), First Floor, Academic Classroom Building, 800 W. 4th Street, 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 Kerrick Davis
- B. Chairman's Announcements..... Chairman Griffin

XIII. Adjournment Chairman Griffin

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

Presenter: Vice Chairman Kerrick Davis

Presentation Time: 2 minutes

Board approval required by: Sections 01.02.7.d(4)(b) and 01.02.07.d(4)(c), *Regents' Rules*

RECOMMENDATION

The chancellor recommends that the Board of Regents (i) approves the Consent Agenda for the meeting of February 23-24, 2023; 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 University System 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 23-24, 2023

BOARD OF REGENTS

Mr. Mark Griffin, Chairman
Mrs. Ginger Kerrick Davis, Vice Chair
Ms. Arcilia C. Acosta
Mr. Cody C. Campbell
Mr. Pat Gordon
Mr. J. Michael Lewis
Mr. John D. Steinmetz
Mr. John B. Walker
Mr. Dusty Womble
Mr. Hani Michael Annabi, Student-Regent

Standing Committee Chairs and Vice Chairs:

Academic, Clinical and Student Affairs:
Ginger Kerrick Davis (Chair); Pat Gordon (Vice Chair); and Hani Annabi (Student Regent)

Audit:
John Steinmetz (Chair) and Arcilia Acosta (Vice Chair)

Facilities:
Dusty Womble (Chair) and Mark Griffin (Vice Chair)

Finance and Investments:
John Walker (Chair) and Cody Campbell (Vice Chair)

[NOTE: All nine board members serve as voting members of each committee.]

**TEXAS TECH UNIVERSITY SYSTEM
BOARD OF REGENTS**

February 23-24, 2023

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INFORMATION AGENDA

(Titles only; full agenda is on page 27)
Information is provided as required by
Section 01.02.7.d(4)(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, MSU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2023 (as of November 30, 2022), per Section 01.02.8.d(3)(g), *Regents' Rules*** – All actual expenditures will be reviewed by the Finance and Investments Committee annually and provided as information. Financial reports for the most recently completed quarter for each of the component institutions are available at: <https://www.texas-tech.edu/offices/cfo/board-financial-reports.php>

- (2) **TTUHSC and TTUHSC El Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules*** – The following are excepted from the requirements of Section 07.12.3.a and Section 07.12.3.b, *Regents' Rules*, “the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract or new health related services contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000. Before such a contract may be executed, the president shall obtain the prior review of the TTU system Office of General Counsel and the TTU system vice chancellor and chief financial officer, or their designees. A list of health-related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”

- (3) **ASU, MSU, TTU and TTUHSC: Consulting contracts with an initial consideration of \$100,000 or less per Section 07.12.4.e.(2), *Regents' Rules*** – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$100,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”

- (4) **MSU, TTU and TTUHSC El Paso: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4 of the *Regents' Rules*** – The following are excepted from the requirements of Section 07.12.3.a and 07.12.3 b, *Regents' Rules*, “the chancellor or president, or the chancellor or presidents designee, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.”
- (5) **TTUHSC: Contracts for Sponsored Programs Projects per Section 07.12.4.b., *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.”
- (6) **TTU: Emergency or exigent circumstances approval of a contract by Section 07.12.3.g, *Regents' Rules*** – “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 or of the chair of the Finance and Investments Committee. Contracts approved in this manner shall be presented to the board as an information item at the next board meeting.”
- (7) **TTUHSC: Report of nepotism exception as provided by Section 03.01.11.h., *Regents' Rules*** – “All instances where an employee marries an administrative supervisor, is placed under the administrative supervision of a relative, or is made the administrative supervisor of a relative within the prohibited degree shall be reported to the board as an information item.”
- (8) **TTUS: Named Funds per Section 13.02.3a., *Regents' Rules***– “The board delegates approvals to name endowments or other gift funds established through a private gift of less than \$5 million to the president of the benefitting institution, in consultation and cooperation with the chancellor and the vice chancellor of Institutional Advancement. Notice shall be provided to the board of regents as part of the information agenda at the next board meeting.”

a. **ASU: Approve emeritus appointment.**

Board approval required by: Section 04.01.2, *Regents' Rules*; ASU Operating Policy 02.03

The request is to grant emeritus status to the individual named below. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

Dr. Robert C. Dowler, Ph.D., retired from Angelo State University on August 31, 2022. Dr. Dowler has served an exemplary service to the Department of Biology and the field of mammalogy at Angelo State University for 34 years. His exceptional performance in the classroom, voluminous scholarly endeavors, and his service to Angelo State University and the community clearly demonstrate his worthiness of this honor. In recognition of his work, Dr. Dowler has received numerous recognitions over his long career as a teacher and as a scholar. Dr. Dowler is a past recipient of the Angelo State University Teaching Excellence Award and held the Mr. and Mrs. Victor P. Tippett Endowed Chair since 1999. He was recognized as the Robert L. Packard Outstanding Educator by the Southwestern Association of Naturalists and was awarded the 2015 Joseph Grinnell Award for Excellence in Education in Mammalogy by the American Society of Mammalogists.

BACKGROUND INFORMATION

According to the Section 04.01.2, *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 university.

The named individual qualifies for emeritus appointment under the policy of the Board of Regents.

b. TTU: Approve faculty development leaves of absence.

Board approval required by Section 4.05.1, *Regents' Rules*

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

Faculty development leave with full salary for Eugenio Aulisa, Professor in the Department of Mathematics and Statistics in the College of Arts and Sciences, from September 2023 to December 2023. The purpose of this leave is to visit and work with collaborators Dr. Giacomo Capodaglio (Los Alamos National Lab) and professor Sandro Manservigi (University of Bologna, Italy). This will result in strengthening collaborations between the three institutions, in scientific publications, in joint funding proposals, and in graduate student/Postdoctoral exchange.

Faculty development leave with half salary for John Beusterien, Professor of Spanish in the Department of Classical and Modern Languages and Literatures in the College of Arts and Sciences, for the period of September 2023 to May 2024. The purpose of this leave is to complete a book and a grant application. The goal of the book and the grant is to benefit Texas Tech through engaged scholarship, outreach and highlighting the importance of the Llano Estacado region and issues of water sustainability in teaching and research.

Faculty development leave with full salary for Aaron Braver, Associate Professor in the Department of English in the College of Arts and Sciences, for the period of September 2023 to December 2023. The purpose of this leave is to conduct field work in South Africa and to gain experience with new experimental and instrumental techniques (especially electroglottography; "EGG"). This leave will include three related projects: (1) experimental and EGG investigation of the click sounds of Xhosa, (2) working to digitize a dictionary of the Xhosa language, and (3) studying incomplete naturalization of Afrikaans by elicitation and EGG.

Faculty development leave with full salary for James A. Carr, Professor in the Department of Biological Sciences in the College of Arts and Sciences, from September 2023 to December 2023. The purpose of this leave is to write and submit a book entitled "The pike in the Carp Pond: How and Why Animals Stop Eating." The book will be targeted to upper division undergraduate students, graduate students, and others interested in the endocrinology and neurobiology of food intake and the evolutionary forces that have sculpted mechanism to stop food intake and food seeking behavior.

Faculty development leave with full salary for Kevin Chua, Associate Professor in the School of Art in the J.T. and Margaret Talkington College

of Visual and Performing Arts, from January 2024 to May 2024. This leave gives greater visibility to Art History within the School of Art at Texas Tech University and helps forge connections between the SOA (School of Art) and the TTU College of Architecture. Additionally, the book will contribute to Southeast Asian art history and Southeast Asian studies.

Faculty development leave with full salary for Claudia Cogliser, Professor in the Area of Management in the Rawls College of Business, from September 2023 to December 2023. The purpose of this leave is to design several more data collections and to prepare two manuscripts based on these studies to be submitted to the (1) *Journal of Applied Psychology* and (2) *Academy of Management Journal*.

Faculty development leave with full salary for Weilong Cong, Professor in the Department of Industrial, Manufacturing, and Systems Engineering in the Edward E. Whitacre Jr. College of Engineering, from January 2024 to May 2024. The purpose of this leave to Visit Kyoto University, Japan to conduct collaborative research on ultrasonic vibration-assisted hybrid manufacturing. DMG Mori Seiki Co.,Ltd. In Japan, one of the largest machine tool builders in the world, will also be involved for industrial collaborations.

Faculty development leave with full salary for Anthony Cozzolino, Associate Professor in Department of Chemistry and Biochemistry in the College of Arts and Sciences, for the period of September 2023, to December 2023. The purpose of this leave is to develop the design, synthesis and characterization of permanently porous, conductive main-group organic framework that are anticipated to have important applications as battery materials and electrodes in supercapacitors. The preliminary results from this leave will be used to support proposals intended for the DOE and NSF (National Science Foundation).

Faculty development leave with full salary for Benildo G. de los Reyes, Professor in the Department of Plant and Soil Sciences and Bayer Crop Science Endowed Chair in the Davis College of Agricultural Sciences and Natural Resources, from January 2024 to May 2024. The purpose of this leave is to establish new collaborations with scientist and institutions having complementary expertise and research resources across Atlantic and Pacific and to participate in and teaching activities at host institutions in the Middle East (United Arab Emirates) and Asia (Japan, Philippines, Sri Lanka).

Faculty development leave with full salary for Carole Edwards, Professor of French and Francophone Studies in the Department of Classical and Modern Languages and Literatures in the College of Arts and Sciences, for the period of January 2024 to May 2024. The purpose of this leave is to complete the bulk writing of a monograph on the contemporary Moroccan writer Mohamed Nedali.

Faculty development leave with full salary for William L Gardner, Professor in the Area of Management in the Rawls College of Business, from September 2023 to December 2023. The purpose of this leave is to write a scholarly book titled, *Authentic Leadership Theory and Research: Where We have Been and Where to Go*. This research program for the past 20 years has focused on the development of a theory of authentic leadership and empirical tests of its predictions.

Faculty development leave with full salary for Kevin Grier, Professor in the Department of Political Science in the College of Arts and Sciences for the period of January 2024 to May 2024. The purpose of this leave is to work intensively on two complicated research projects: 1) rural postsecondary education and workforce training, and 2) the effect of border enforcement on border cities.

Faculty development leave with full salary for Lauren Griffith, Associate Professor of Anthropology in the Department of Sociology, Anthropology, and Social Work in the College of Arts and Sciences, from January 2024 to May 2024. This leave is for working on a new book manuscript tentatively titled *Thrown Out*. This book will explore the role of capoeiristas in publicizing injustices and amplifying the voices of the oppressed.

Faculty development leave with full salary for Ryan Hackenbracht, Associate Professor in the Department of English in the College of Arts and Sciences, for the period of September 2023 to December 2023. The purpose of this leave is four-fold: 1) to consult archival materials at the H. G. Wells collection at the University of Illinois and the Charles Darwin collection at Seattle University; 2) to write the final chapter of my book, on H. G. Wells; 3) to craft a book proposal; and 4) to submit that proposal to Oxford for consideration for publication.

Faculty development leave with full salary for Justin Hart, Associate Professor in History in the University College of Arts and Sciences, from January 2024 to May 2024. This leave is to take one research trip and complete most of the writing for his current book project, *A New Deal for the Military*.

Faculty development leave with full salary for Sally McDonald Henry, Professor in the School of Law, from January 2024 to May 2024. The purpose of this leave is to complete a major empirical research project focused on subchapter V of the Bankruptcy code. The leave will facilitate intensive research and writing (along with travel) related to this project.

Faculty development leave with full salary for Brett A. Houk, Professor of Anthropology in the Department of Sociology, Anthropology, and Social Work in the College of Arts and Sciences, from January 2024 to May 2024. This leave is to write a final report and journal article based on the

results of an archaeological excavation at Caprock Canyons State Park on two prehistoric sites containing bison bone beds.

Faculty development leave with full salary for Fethi A. Inan, Professor in Curriculum, and Instruction in the College of Education, from January 2024 to May 2024. The purpose of this leave is to investigate emotional regulation and mental fatigue in teacher preparation and to develop strategies to support the diverse needs and well-being of teacher candidates.

Faculty development leave with full salary for Justin Keene, Associate Professor in the Department of Journalism and Creative Media Industries in College of Media and Communication, from September 2023 to December 2023. This leave will afford the development, formalization, and extension of the Coactivation Cascade Model (CMM). In addition to two specific theoretical articles, the time will also be spent developing two federal grant applications that would fund the next several years of this research trajectory.

Faculty development leave with full salary for Erin-Marie Legacey, Associate Professor in the Department of History in the College of Arts and Sciences, from September 2023 to December 2023. The purpose of this leave is to conduct research and writing related to a second major research project about women daredevils in 19th century France.

Faculty development leave with full salary for Naima Moustaid-Moussa, Professor in the Department of Nutritional Sciences in the College of Human Sciences, from September 2023 to December 2023. The purpose of this leave is to develop/ expand international collaborations and funding.

Faculty development leave with full salary for Jennifer Nish, Associate Professor of English in the College of Arts and Sciences, for the period of September 2023 to December 2023. The purpose of this leave is to complete a book proposal and sample chapters for a project that focuses on public rhetoric and disability activism about post-viral illnesses during the pandemic. The research is time-sensitive; public rhetoric about this topic may change as knowledge about these illnesses' changes.

Faculty development leave with full salary for Timothy Nokken, Associate Professor in the Department of Political Science in the College of Arts and Sciences, from September 2023 to December 2023. This leave is to focus on analyzing the roll call voting behavior elected officials and to write a case study of the proposal to eliminate the US Export-Import Bank in the 114th Congress.

Faculty development leave with full salary for Wonjung Oh, Associate Professor in the Department of Human Development and Family Sciences

in the College of Human Sciences for the period of September 2023 to December 2023. The purpose of this leave is to conduct data analysis using innovative analytical approach for cross-cultural study and collaborate with Yonsei University, South Korea on an ongoing study on Generation Alpha children's social, emotional, and school functioning in the digital era, and develop a new study of Generation Alpha children's and adolescents' social-emotional and school functioning in the digital era in USA.

Faculty development leave with full salary for Jamie Pavlik, Associate Professor in the Department of Agricultural and Applied Economics in the Davis College of Agricultural Sciences and Natural Resources, from January 2024 to May 2024. This leave is to make progress on two substantial projects and further existing research. One project involves a new survey and the creation of an original dataset. The other project involves a lab experiment.

Faculty development leave with full salary for Deidre Popovich, Associate Professor in the Area of Marketing in the Rawls College of Business, from September 2023 to December 2023. This leave will allow Popovich to make substantial progress on multiple research projects related to the \$1.2M BlueCross BlueShield (BCBS) of TX grant. Collectively, these research projects explore patient understanding and involvement in health-related decision making.

Faculty development leave with full salary for Narissra Punyanunt-Carter, Professor in the Department of Communication Studies in the College of Media and Communication, from January 2024 to May 2024. This leave is to write a sixteen-chapter book examining computer-mediated communication (CMC), or the use of computer technologies to stimulate meaning in a receiver's mind.

Faculty development leave with full salary for Moira Ridley, Professor in the Department of Geosciences in the College of Arts and Sciences, from September 2023 to December 2023. The purpose of this leave is to develop a new research project exploring the dissolution mechanisms of manganese-oxides. The project requires the acquisition of new molecular modeling skills to examine the complex issue of electron transfer. The new skills will be gained by collaborating in-person with an international scientist in Austria.

Faculty development leave with full salary for Christopher J Smith, Full Professor in the School of Music in the J.T. and Margaret Talkington College of Visual and Performing Arts, from September 2023 to December 2023. The purpose of this leave is to research and begin progress on a book, complementing two existing monographs about American music ensembles and the visionary bandleaders from Duke Ellington to Muddy Waters.

Faculty development leave with full salary for Hung Tran, Professor in the Department of Mathematics and Statistics in the College of Arts and Sciences, from January 2024 to May 2024. The purpose of this leave is to travel to research institutes and perform research with external collaborators.

Faculty development leave with full salary for Theodore L. Waldron, Associate Professor in the Area of Management in the Rawls College of Business, for the period of January 2024 to May 2024. This leave will entail a residency at Arizona State University, working specifically on investigating academic entrepreneurship, which deals with the commercialization of technologies created in universities and federal labs. Elite scholars, a distinctive University-wide center (e.g., GCTT), and a world-class tech-transfer office (e.g., Skysong) make Arizona State an ideal place for this work.

Faculty development leave with full salary for William Wenthe, Professor of English in the College of Arts and Sciences, for the period of January 2024 to May 2024. The purpose of this leave is to write and revise poems for publication in literary journals and in book form.

Faculty development leave with full salary for Jingjing Wu, Associate Librarian in Digital Resources unit in the University Libraries, from January 2024 to May 2024. The purpose of this leave is to purpose to complete the open access textbook, *Using R in Your Research*. This book aims to help student implement research methods from data collection, preparation, analysis through the presentation of communication of research findings using the open-source programming language R.

Faculty development leave with full salary for Zhixin Xie, Associate Professor in the Department of Biological Sciences in the College of Arts and Sciences, for the period of September 2023 to December 2023. The purpose of this leave is to provide protected time for significant scholastic activities including: (1) Prepare two original research manuscripts for peer reviewed publication; (2) develop and submit an NSF grant application for a major project, which also involve developing innovative experimental procedures.

Faculty development leave with full salary for James Yang, Professor in the Department of Mechanical Engineering in the Edward E. Whitacre Jr. College of Engineering, for the period of September 2023 to December 2023. This leave is to conduct research on digital human modeling and simulation based on ongoing three projects.

Faculty development leave with full salary for Andrew Young, Professor in the Area of Energy Commerce in the Rawls College of Business, from September 2023 to December 2023. This leave will be aimed at completing a new book titled *The Political Economy of the US*

Constitution, Historically and Today. The book will aim to understand how the US constitution design has shaped governance, the economy and the rights and liberties of citizens.

Faculty development leave with full salary for Julie Zook, Assistant Professor in Architecture in the College of Architecture, from January 2024 to May 2024. The purpose of this leave is to complete a book that will build a materialist case for architectural research that is sociologically accountable and will distinguish this form the tendency among architects and architectural researchers to presume that attention, depiction, and symbolism to social problems will trickle down to effect material transformation.

c. TTU: Approve exception to nepotism policy.

Board approval required by: Section 03.01.11, *Regents' Rules*; TTU Operating Policy 32.01, TTU Operating Policy 70.08

This request is to approve an exception to the nepotism policy in the instance as listed below. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

Jennifer Wang is the daughter of Interim Chair Alex Wang. Jennifer received her B.S. degree in Mechanical Engineering in 2015, and her M.S. degree in Statistics in May of 2021, both from TTU. She has been a graduate part-time instructor in the Department of Mathematics and Statistics from Fall of 2017 to the Spring of 2021, and taught MATH 1330, Intro Math Analysis I. MATH 1331, Intro Math Analysis II, and MATH 1451, Calculus I with Applications. After receiving her M.S. degree, she worked as a part-time instructor in the Department of Mathematics and Statistics from the Fall of 2021 until now. The department plans to reclassify her as a lecturer. Dr. Alex Wang is acting as Interim Chair for the academic year 2023 while Dr. Magda Toda is out on administrative leave with an appointment as a program reviewer for the National Science Foundation. Dr. Brock Williams, Associate Chair for Undergraduate Programs in the Department of Mathematics and Statistics will conduct, review and/or approve Ms. Wang's performance reviews and any other records, correspondence, or transactions involving her appointment, wages, hours, advancement, or other conditions of employment. Directly reporting to Dr. Williams will circumvent the line of reporting to Dr. Wang the Interim Chair of the Department of Mathematics and Statistics. At the end of every academic year, this arrangement will be re-evaluated by the dean, and department chair to ensure that there is effective management of conflict of interest and to see if any modifications are necessary.

BACKGROUND INFORMATION

Section 03.01.11, *Regents' Rules* and TTU OP 70.08 prohibit a person related to an administrator by a prohibited degree to have an initial appointment to a position in an area of responsibility over which the administrator has appointive authority, in whole or in part, regardless of the source of funds from which the position's salary is to be paid. Furthermore, no employee may approve, recommend, or otherwise take action with regard to the appointment, reappointment, promotion, salary, or supervision of an individual related to the employee within a prohibited degree. If an appointment, reappointment, reclassification or promotion of an employee places the employee under an administrative supervisor who is related within a prohibited degree, all subsequent personnel and compensation actions affecting the employee shall become the responsibility of the next higher administrative supervisor.

d. TTU: Approve emeritus appointments.

Board approval required by: Section 04.01.2, *Regents' Rules*

The request is to grant emeritus status to the individuals as listed below. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

William Ballenger	Professor of Music, J.T. and Margaret Talkington College of Visual and Performing Arts (13 years).
Kim Boal	Professor of Management, Jerry S Rawls College of Business (32 years).
Yvonne Caldera	Professor of Human Development and Family Sciences, College of Human Sciences (28 years).
Bruce Cammack	Associate Librarian, University Libraries (35 years).
Sankar Chatterjee	Paul Whitfield Horn Distinguished Professor of Geosciences, College of Arts and Sciences (43 years).
David Driskill	Professor of Architecture, Tommie J. Huckabee College of Architecture (34.5 years).
Janis Elliott	Associate Professor of Art, J.T. and Margaret Talkington College of Visual and Performing Arts (17 years).
John Gilliam	Associate Professor of Personal and Financial Planning, College of Human Sciences (15.5 years).
Rattikorn Hewett	Professor of Computer Science, Edward E. Whitacre Jr. College of Engineering (18 years).
Glenn Hill	Professor of Architecture, Tommie J. Huckabee College of Architecture (39 years).

John Howe	Professor of History, College of Arts and Sciences (42 years).
Lahib Jaddo	Professor of Architecture, Tommie J. Huckabee College of Architecture (28 years).
Randall Jeter	Associate Professor of Biological Sciences, College of Arts & Sciences (38 years).
Magne Kristiansen	Paul Whitfield Horn Distinguished Professor of Electrical & Computer Engineering, Edward E. Whitacre Jr. College of Engineering (47 years, posthumous).
Ira Lewis	Professor of Mathematics & Statistics, College of Arts and Sciences (44.5 years).
Jaime Malaga	Professor of Agricultural and Applied Economics, Gordon W Davis College of Agricultural Sciences and Natural Resources (21 years).
Jacalyn J. McComb	Professor of Kinesiology & Sport Management, College of Arts & Sciences (24 years).
Sunanda Mitra	Paul Whitfield Horn Distinguished Professor of Electrical & Computer Engineering, Edward E. Whitacre Jr. College of Engineering (43 years, posthumous).
Bennett Neiman	Professor of Architecture, Tommie J. Huckabee College of Architecture (17 years).
Sergey A. Nikishin	Professor of Electrical & Computer Engineering, Edward E. Whitacre Jr. College of Engineering (25 years).
Scott Norville	Professor of Civil, Environmental, and Construction Engineering, Edward E. Whitacre Jr. College of Engineering (42 years).

Robert Perl	Professor of Architecture, Tommie J. Huckabee College of Architecture (43 years).
Vittal S. Rao	Professor of Electrical & Computer Engineering, Edward E. Whitacre Jr. College of Engineering (15 years).
Randy Reddick	Professor of Journalism, College of Media and Communication (19 years).
Ben Shacklette	Professor of Architecture, Tommie J. Huckabee College of Architecture (34 years).
Gary Smith	Professor of Architecture, Tommie J. Huckabee College of Architecture (17.5 years).
MaryAlice Torres-MacDonald	Professor of Architecture, Tommie J. Huckabee College of Architecture (16.5 years).

BACKGROUND INFORMATION

According to the Section 04.01.2, *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 university.

The named individuals qualify for emeritus appointment under the policy of the Board of Regents.

e. TTUHSC: Approve emeritus appointments.

Board approval required by: Section 04.01.2, *Regents' Rules*, and HSC OP 10.12

This request is to approve conferral of the title of professor emeritus status to the individuals as listed below for their long and faithful service to the Texas Tech University Health Sciences Center ("TTUHSC"). This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

Dr. Thomas J. Thekkumkara, (Ph.D) joined the SOP Department of Pharmaceutical Sciences in 2000. He came to the School of Pharmacy as an Associate Professor when the SOP was only 4 years old and graduating its very first class of PharmD students. He received tenure in 2003 and was ultimately promoted to professor in September 2005. After earning his undergraduate degree, as well as his Master and PhD degrees in his homeland of India, he completed his Postdoctoral Fellowship in Biochemistry & Molecular Biology in the Department of Biochemistry at Case Western Reserve University in Cleveland, Ohio. He served in various positions at other medical facilities before his arrival at TTUHSC. Dr. Thekkumkara's expertise and research interests are well suited for teaching molecular and cellular biology courses underlying physiological and pathophysiological processes. He has taught courses in both the PharmD Program and the GSBS PhD Program. In addition to his faculty position, he has held several administrative roles for the school over the years. He has served time as Associate Dean for Research, Department Chair, Interim Academic Dean of the School, Senior Associate Dean of Student Affairs & Admissions and Regional Dean of the Amarillo Campus, having served 14 years in the RD capacity. Dr. Thekkumkara's list of awards and honors is lengthy; highlights of prestigious awards include the TTUHSC Distinguished Faculty Award, TTUHSC University Distinguished Professor Award, TTUHSC Presidents Distinguished Research Achievement Award, and the TTUS Chancellors Distinguished Research Achievement Award. After more than 22 years of outstanding service and significant contributions in the development and progress of the school, Dr. Thekkumkara will retire as a professor, with tenure, in March 2023.

Dr. Emily Merrill (PhD, APRN, FNP BC, CNE, FAANP) has more than 34 years of service to the School of Nursing. For the past 20 years, she served as the Director, Associate Dean, and Department Chair for the APRN Programs. Through her leadership, the APRN Programs have expanded in Family, Pediatrics, and Adult Gerontology, and new programs have been developed in Pediatric Acute Care, Psychiatric Mental Health, and Nurse Midwifery. During Dr. Merrill's leadership, enrollment of APRN students increased from approximately 40-50 students in 2002 to more than 600 in 2022. She led the SON APRN Program to seek THECB approval and develop the newest SON doctoral program: the BSN to DNP Program. In 2010, Dr. Merrill was named as The CH Foundation Endowed Professor for APRN Programs at TTUHSC and she

represented the SON's APRN Programs with visionary leadership. She was inducted in 2010 into the American Academy of Nurse Practitioners, the first APRN faculty at TTUHSC SON with this distinction. Throughout her career, Dr. Merrill provided leadership for several local, state, and national nursing organizations. She has demonstrated a long and distinguished record of service to TTUHSC, SON. Dr. Merrill retired as a professor on August 31, 2022.

Dr. Sharon Decker (PhD, RN, FSSH, ANEF, FAAN) served TTUHSC and the SON for 38 extraordinary years of service. Dr. Decker was the recipient of many awards during her time at TTUHSC: 12 times she was honored with the Student Senate Excellence in Teaching Award, twice she was honored with the President's Excellence in Teaching Award, and in 2003 she was the recipient of the Chancellor's Council Distinguished Teaching Award. In 2017 she received the prestigious TTUHSC Grover E. Murray Professorship. She also received numerous state and national awards. Dr. Decker is also the Executive Director of the TTUHSC Simulation Program which has evolved from a single school center (nursing) to a multisite (Abilene, Amarillo, Lubbock, Mansfield, Midland, and Odessa – and within the next year Dallas). She has the distinction of being inducted into three academies: National League for Nursing, American Academy of Nursing, and Society for Simulation in Healthcare. All three of these are the highest distinctions in the healthcare profession. She has had the privilege of serving on national and international organizations. During her time at TTUHSC, Dr. Decker obtained over 3 million dollars in grant or project funding. She has been a remarkable leader in the success and building of the outstanding reputation of the TTUHSC's Simulation Program. Dr. Decker retired as a professor on December 31, 2022.

BACKGROUND INFORMATION

In accordance with the HSC OP 10.12 and Section 04.01.2, *Regents' Rules*, the Faculty Affairs Committee recommended the professor emeritus appointment for Dr. Thekkumkara in the TTUHSC School of Pharmacy ("SOP"). The Professional Development Committee recommended the professor emeritus appointments for Drs. Merrill and Decker in the TTUHSC School of Nursing ("SON").

f. **TTUHSC: Approve revised School of Pharmacy Practice Income Plan Bylaws.**

Board approval required by PIP Bylaws Section 5.42

The request is to approve revisions to the School of Pharmacy's Practice Income Plan ("PIP") Bylaws. The School of Pharmacy's Practice Income Plan Bylaws with proposed revisions is included as an attachment to the Agenda Book. 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 School of Pharmacy's Practice Income Plan Bylaws govern the membership, organization, trust fund, and general management of the practice plan income for the Texas Tech University Health Sciences Center School of Pharmacy. The PIP Bylaws were last revised in 2014. Changes in the bylaws to accommodate present leadership, organization structures and titles required the review and subsequent proposed revisions to the bylaws. The proposed revisions were approved by the PIP membership on January 10, 2023.

g. TTUHSC El Paso: Approve conferral of emeritus appointments.

Board approval required by: Section 04.01.2, *Regent's Rules* and HSC OP 10.12

The chancellor concurs with the recommendation of the president that the Board of Regents approve to confer the title of *Associate Professor Emeritus* on Dan Blunk, M.D., and to approve the title of *Professor Emeritus* on Paul Casner, M.D., Ph.D for long and faithful distinguished service to the Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso), Paul L. Foster School of Medicine (PLFSOM)

BACKGROUND INFORMATION

Dan Blunk, M.D. retired from the Texas Tech University Health Sciences Center El Paso (“TTUHSC El Paso”), Paul L. Foster School of Medicine (“PLFSOM”) on June 30, 2022, with distinguished service of over 20 years. During his tenure at the institution, Dr. Blunk served in many capacities. He first joined the faculty as a clinical faculty member; then, in 2005, he became a full-time Associate Professor of Clinical Psychiatry in the Department of Psychiatry. Dr. Blunk subsequently transferred to the Department of Medical Education in 2012, where he served as Associate Professor and College Mentor. Dr. Blunk’s accomplishments in teaching, scholarship, clinical service, and academically-related public service over his 20+ years as a faculty member at TTUHSC El Paso underscore a varied, impactful, and distinguished academic career. Dr. Blunk’s contributions to the educational mission of the PLFSOM across the undergraduate medical education and graduate medical education spectrum are highlighted by a collection of prestigious honors and awards.

Dr. Blunk’s daily impact as a teacher, course director, and college mentor translated to exemplary teaching evaluations that were consistently among the best of any faculty member in the Department of Medical Education. Dr. Blunk skillfully converted his innovative teaching techniques into educational scholarship. Notably, in a recent publication, Dr. Blunk showed that his novel pedagogical approaches designed to promote the cognitive integration of clinical and basic science concepts led to the development of clinical reasoning skills in second-year medical students that were indistinguishable from those of expert clinicians. Given the significance of these findings, the PLFSOM aims to expand the implementation of Dr. Blunk’s novel approach more broadly throughout the curriculum, and research the outcomes. He has brought honor and distinction to TTUHSC El Paso, and enhanced the prestige of the institution.

Paul Casner, M.D., Ph.D., has a distinguished career of 39 years of honorable service as a tenured professor in the Department of Internal Medicine at the Texas Tech University Health Sciences Center El Paso (“TTUHSC El Paso”), Paul L. Foster School of Medicine (“PLFSOM”). Dr. Casner joined the faculty of TTUHSC (El Paso Regional Campus) in 1983, and served in various roles prior to his full retirement on August 31, 2022. He rose through the ranks, and became a tenured professor in 1996. Dr. Casner has served in many capacities at the institution, including Chief of the Division of General Internal Medicine from 1985 to 2000, and again from 2004 to 2007. He then served as Chief of the Division of Geriatrics from 2007 until 2020. He also led the Department of Internal Medicine as Regional Chair from 1990 to 1994. Early in his career, Dr. Casner published one of the first research studies assessing the effectiveness of combination therapy with insulin and an oral antidiabetic medication, which was a novel concept at that time. He published his research on pharmaco-genetic drug metabolism in Mexican-Americans in the *Journal of Clinical Pharmacology*. He presented his studies on the effectiveness of different teaching methods in geriatrics at the American Geriatrics Society annual scientific meetings. Under Dr. Casner’s direction, the Acute Care for Elder Unit (ACE Unit) was implemented at the University Medical Center of El Paso in 2012, using an interdisciplinary team-based approach in the care of older adults. He mentored students in a study of the costs and implications of discarded medicines in hospice care, and published the findings. In the years preceding his retirement, Dr. Casner focused on enhancing the functions of TTUHSC El Paso’s Institutional Review Board (IRB) as the long-serving IRB chair, where he played an important role in the protection of the rights and welfare of human research subjects for 22 years.

Dr. Casner received numerous awards in recognition of his substantial contributions to patient care, medical education, and public service. Particularly noteworthy are the Service Plus Award, conferred by the Chancellor of the Texas Tech University System in 1996, the Paul L. Foster School of Medicine Faculty of the Year Award in 2009, and the TTUHSC President’s Excellence in Teaching award in 2013. His nearly four-decade-long career has enhanced the eminence of TTUHSC El Paso.

h. TTU: Approve namings within the Baseball Clubhouse.

Board approval required by: Section 13.02.2a, *Regents' Rules*

The request is to approve naming of the interior locations as listed below within the Baseball Clubhouse. The donors concur with the naming of their space. Signage for these spaces will specify the approved name. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

Naming Location	Official Name
Infield Batting Cages	Capital Mortgage / Royce & Linda Lewis Player Development Center
Player Locker Room	John & Cindy Owens Locker Room
Lobby	George & Linda McMahan Lobby
Head Coach Patio	Madera Residential Patio
Training Room	Don-Kay-Clay Cash Foundation Training Room
Player Lounge/Nutrition Area	First Bank & Trust/Barry Orr Player Lounge
Equipment Room	Terry and Kelly Crofoot Equipment Room
Office #4	Neal & Megan Leonard
Office #2	Steve and Debbie Hurt
Office #5	Gordon and Joyce Davis
Head Coach's Office	H.B. & M.L. Dorris
Film Room	Barry & SuDeline Street Film Room
Coach's Locker Room	Brad & Barb Bouma Coach's Locker Room
Cardio Room	David & Lugene Pickering Cardio Room
Hydrotreadmill	Josh & Chanda Allen
Office #3	Steve & Eileen Guthrie
Hydrotherapy Room	Jim Bullard Family Hydrotherapy
Office #6	W.I.T. – AJ Ramos
Office #1	Dr. Rob & Beth Schmid
Exam Room	Dr. Paul and Sharon Brown Exam Room

BACKGROUND INFORMATION

Multiple donors have made certain commitments, as outlined below, to the Texas Tech Foundation, Inc., benefitting construction of the renovation and addition to the Baseball Clubhouse.

Donor	Gift Amount
Royce and Linda Lewis / Capital Mortgage Services	\$ 2,500,000.00
John and Cindy Owens	\$ 1,000,000.00
George and Linda McMahan	\$ 1,000,000.00
Madera Residential	\$ 850,000.00
Don-Kay-Clay Cash Foundation	\$ 500,000.00

First Bank and Trust / Barry Orr	\$ 500,000.00
Jay and Jinny Crofoot	\$ 350,000.00
Neal and Megan Leonard/Gayla's Heart Trust	\$ 300,000.00
Steve Hurt	\$ 250,000.00
Joyce and Gordon Davis	\$ 250,000.00
H.B. & M.L Dorris	\$ 250,000.00
Barry and SuDeline Street	\$ 250,000.00
Brad and Barb Bouma	\$ 250,000.00
David and Lugene Pickering	\$ 250,000.00
Josh and Chanda Allen	\$ 250,000.00
Steve and Eileen Guthrie	\$ 200,000.00
Jim Bullard Family	\$ 200,000.00
AJ Ramos	\$ 100,000.00
Rob and Beth Schmid	\$ 50,000.00
Mrs. Sharon and Dr. Paul Brown	\$ 50,000.00

These gifts meet the minimum fifty percent (50%) threshold requirement for naming a subunit within a facility, as verified by the vice chancellor of facilities planning and construction.

Regents' Rules, Section 13.02.2a requires board approval of the naming of all buildings, subunits, and other facilities within the TTU System.

i. **TTU: Approve commissioning of police officer.**

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

The request is to commission the following individual as a police officer, 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:

Jodi Tuscana, effective October 25, 2022

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.

j. **TTU: Approve acceptance of Gift-in-Kind benefitting Texas Tech University, J.T. and Margaret Talkington College of Visual & Performing Arts, School of Art.**

Board approval required by: Section 06.03.2b.(3)(a), *Regents' Rules*

The request is to approve acceptance of a gift-in-kind from the James Avery Artisan Jewelry company, consisting of 44,282 assorted precious and semi-precious gems and stones, valued at \$288,869.87. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

James Avery Artisan Jewelry ("James Avery") made a generous contribution to the School of Art of various precious gems valuing \$288,869.87. These materials will be used by the students in the School of Art's jewelry degree program. This donation comes as the result of a long relationship between the School of Art and James Avery, with several School of Art alumni placed in key positions within the company. James Avery's provision of these materials, which are extremely costly to procure, will significantly elevate the work of the jewelry program's undergraduate and graduate students, allowing them to create more professional and exceptional pieces as part of their portfolio and beyond.

Regents' Rules Section 06.03.2b.(3)(a) requires board approval of the acceptance of gifts-in-kind to any component institution valued over \$250,000.00.

k. TTU: Approve purchasing contract(s) in excess of \$1,000,000.

Board approval required by: Section 07.12.3, *Regents' Rules*

The request is to approve purchasing contracts in accordance with *Regents Rules* 07.12.3.a, including those contracts with a value exceeding \$5,000,000 in accordance with *Regents' Rules* 07.12.3.c as listed 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

In accordance with *Regents' Rules*, the Board is routinely requested to approve purchasing contracts under which the TTUS components spend more than \$1,000,000 per annum. Purchasing contracts are procured and executed in compliance with Texas Education Code §51.9335 as well as the *Regents' Rules* and TTUS component Operating Policies and Procedures.

Section 07.12.3.a, *Regents' Rules*, requires Board approval for contracts that total in excess of \$1,000,000 over the entire term of the contract, unless a different consideration is specified by this policy.

However, Section 07.12.3.c provides that, for all purchasing contracts that exceed a total value of \$5,000,000 over the life of the contract (even if the annual amount is less than \$1,000,000), the Board must be provided:

- (1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU System policies; and
- (2) information on any potential issue(s) that may arise in the solicitation, purchasing, or contractor selection process.

The attached table shows: (1) purchasing contracts for which Board approval is required; and (2) purchasing contracts that exceed \$5,000,000 over the life of the contract for which the special reporting is required.

TTU: Approve Purchasing Contracts

Regents' Rules 07.12.3.a 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
TTU	Teinert Construction (CTBD)	Job Order Contract	\$ 1,500,000	\$ 12,000,000	Execution	8 years after execution	RFP
TTU	Tommy Klein Construction (CTBD)	Job Order Contract	\$ 5,000,000	\$ 40,000,000	Execution	8 years after execution	RFP
TTU	United Airlines (C18963)	Air Charter Services	\$ 1,100,000	\$ 1,100,000	Execution	1 year after execution	Exempt
TTU	JT Vaughn Construction (CTBD)	Job Order Contract	\$ 1,500,000	\$ 12,000,000	Execution	8 years after execution	RFP

Section 07.12.3.c, Regents' Rules, requires each contract for the purchase of goods and services, with a value exceeding \$5,000,000, that the Chief Procurement Officer for the applicable component institution or the TTU system must submit to the board: (1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU system policies; and (2) information on any potential issue that may arise in the solicitation, purchasing, or contractor selection process.

Section 07.12.3.c, Regents' Rules, requires each contract for the purchase of goods and services, with a value exceeding \$5,000,000, that the Chief Procurement Officer for the applicable component institution or the TTU system must submit to the board: (1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU system policies; and (2) information on any potential issue that may arise in the solicitation, purchasing, or contractor selection process.

Section 07.12.3.c, Regents' Rules, requires each contract for the purchase of goods and services, with a value exceeding \$5,000,000, that the Chief Procurement Officer for the applicable component institution or the TTU system must submit to the board: (1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU system policies; and (2) information on any potential issue that may arise in the solicitation, purchasing, or contractor selection process.

Section 07.12.3.c, Regents' Rules, requires each contract for the purchase of goods and services, with a value exceeding \$5,000,000, that the Chief Procurement Officer for the applicable component institution or the TTU system must submit to the board: (1) verification that the solicitation and purchasing method and contractor selection process comply with state law and TTU system policies; and (2) information on any potential issue that may arise in the solicitation, purchasing, or contractor selection process.

I. TTU: Approve contract increase with Salesforce.com.

Board approval required by: Section 07.12.3.b *Regents' Rules*

The request is to authorize an increase to the previously approved contract with Salesforce.com for campus customer relationship management platform licenses. The estimated contract expenses will be \$9,750,000, increased from the previously Board approved amount of \$7,115,093 for a total estimated increase of \$2,634,907 over the life of the contract. This request has been approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

BACKGROUND INFORMATION

Texas Tech University ("TTU") was approved to contract with Salesforce.com for campus customer relationship management platform licenses at the May 2022 board meeting. There was a one-time implementation fee of \$2,615,093 and an annual estimated cost of \$1,500,000 per year for three years. The total estimated cost of the contract was \$7,115,093.

Since the original approval was granted in May 2022, TTU has proceeded with the consolidation of multiple licenses into one master agreement and has begun implementation services. A need for additional professional service hours to implement the new platform along with additional service features and licenses to expand the population of students served, has resulted in the request for a contract increase. Some of the enhanced features include a focus on student success analytics, chatbots, appointment campaigns, and other tools for students, faculty, and staff. These features will provide opportunities for efficiencies in productivity and communication.

Section 07.12.3.b., *Regents' Rules*, requires Board of Regents' approval of any amendment, extension, or renewal of a contract with a value that exceeds 25% of the value of the original contract approved by the board or that increases the value of the original contract to more than \$1,000,000 per annum.

m. TTUHSC: Authorize president to finalize negotiations and enter into contract with Orchestra BioMed, Inc.

Board approval required by: Section 07.12.3.d. *Regents' Rules*

The request is to authorize the president, or her designee, to finalize negotiations and enter into a contract with Orchestra BioMed, Inc. for the purpose of conducting a clinical study and evaluation.

BACKGROUND INFORMATION

Texas Tech University Health Sciences Center ("TTUHSC") recognizes the need for improving the public health by engaging in research for the purpose of discovering and making available to the public new and improved medical drugs, devices, procedures and information.

TTUHSC was approached by Orchestra BioMed, Inc to participate as a Study Site in a multi-site clinical study. This study consists of an unbalanced randomization (2:1) comparing clinical outcomes of the Virtue® Sirolimus AngioInfusion™ Balloon (SAB) to plain balloon angioplasty in the treatment of coronary artery single-layer stent ISR, and a separate non-randomized arm with Virtue SAB treatment of two-layer stent ISR. TTUHSC will provide clinical research on the Sponsor's device. The annual revenue is dependent on the number of study subjects enrolled and is a per case rate based on qualification and consent by subject to participate in the study. The estimated contract start date will be April 1, 2023 pending negotiations of separate Investigator's agreement per FDA guidelines. This device is up for FDA approval which is estimated to be approved by February 15, 2023. The completion of the study is open ended but is expected to exceed four (4) years.

Section 07.12.3.d., *Regents' Rules*, requires Board approval on contracts that involve a sale or lease of land and/or improvements thereon, or a commitment of funds or other resources for more than four years.

n. **TTUS: Authorize negotiations with Gilly National Inc. for vending services.**

Board approval required by: Section 07.12.3.g and 07.12.3.a, *Regents' Rules*

The request is to authorize the chancellor, or his designee, to enter negotiations and execute a contract with Gilly National, Inc. ("Gillys") to place and maintain concession machines for a snack vending program at various locations within Texas Tech University System ("TTUS") component institutions. This request was approved administratively by the president and the chancellor and is recommended for approval by the Board of Regents.

TTUS issued a Request for Proposal ("RFP") on July 22, 2022, seeking competitive proposals from qualified vendors with experience in the management of snack vending machines and selected Gillys as the most qualified and possessing the best overall value to TTUS.

The new contract will be effective July 1, 2023, or upon final execution of the contract between the parties, and will expire four (4) years from that date. The contract would renew for up to two (2) 4-year terms unless either party provided written notice of its intent not to renew at least sixty (60) days before the end of the then-current term. The total potential term is twelve (12) years.

BACKGROUND INFORMATION

Section 07.12.3.g, *Regents' Rules*, requires Board approval 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.

Section 07.12.4.a, *Regents' Rules*, requires approval by the chancellor or the chancellor's designee for contracts that total in excess of \$1,000,000 over the entire term of the contract unless a different consideration is specified by this policy. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.

CONTENTS OF THE INFORMATION AGENDA

Section 01.02.7.d(4)(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 01.02.7.d(4)(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, MSU, TTU, TTUHSC and TTUHSC El Paso: Summary of Revenues and Expenditures by Budget Category, FY 2023 (as of November 30, 2022), per Section 01.02.8.d(3)(g), *Regents' Rules*** – All actual expenditures will be reviewed by the Finance and Investments Committee annually and provided as information. Financial reports for the most recently completed quarter for each of the component institutions are available at: <https://www.texastech.edu/offices/cfo/board-financial-reports.php>
- (2) **TTUHSC and TTHUSC El Paso: Contracts for ongoing and continuing health-related service relationships per Section 07.12.4.c, *Regents' Rules*** – “The following are excepted from the requirements of Section 07.12.3.a and Section 07.12.3.b, *Regents' Rules*, “the board delegates to the presidents of health-related institutions the authority to approve the proposals and execute and sign contracts for health related services, as specified herein. This delegation is limited to contracts with entities for which the institution has an ongoing and continuing contractual relationship, to include: revenue contracts from which the institution receives payment for health related services; participation in health provider networks; resident or faculty support; and expense contracts with healthcare providers or suppliers necessary to fulfill the obligation to provide health related services as part of a revenue contract or new health related services contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000. Before such a contract may be executed, the president shall obtain the prior review of the TTU system Office of General Counsel and the TTU system vice chancellor and chief financial officer, or their designees. A list of health-related services contracts that have been executed under this delegation of authority since the previous regular board meeting shall be provided to the board as an information item at the next regular board meeting.”

TTUHSC					
<i>Regents' Rules, 07.12.4.c</i>					
Component	Vendor (Include Contract #)	Service or Goods to be Provided	Start Date	End Date	Extension/ Amendment
TTUHSC	(CON3371958) University Medical Center - UMC Lubbock	Services and Funding Support - Pediatrics Department	4/1/2022	6/30/2023	Extension
TTUHSC	(AMEND593561-009) UMC Physicians	Amendment to Services and Compensation -	1/1/2012	12/31/2023	Amendment

		Physician Staffing; Ralph Paone, MD			
TTUHSC	(AMEND2118774-006) University Medical Center - UMC Lubbock	Amendment to Compensation - Hospitalist Services	4/1/2018	3/31/2023	Amendment
TTUHSC	(AMEND2117893-006) University Medical Center - UMC Lubbock	Amendment for Fellow Physician Staffing - Neuro ICU	5/1/2018	4/30/2023	Amendment
TTUHSC	(AMEND1592374-015) University Medical Center - UMC Lubbock	Amendment to Advanced Practice Provider Services – Faculty Support Cardiology	5/15/2016	6/30/2023	Amendment
TTUHSC	(AMEND1575374-008) University Medical Center - UMC Lubbock	Amendment to Compensation - Master Coordinating Agreement - Faculty & Resident Support	2/1/2016	10/1/2023	Amendment

TTUHSC El Paso					
<i>Regents' Rules, 07.12.4.c</i>					
TTUHSC EP	(07867-A03) El Paso Childrens Hospital Corporation	Pediatrics	11/01/22	10/31/25	Extension
TTUHSC EP	(08077-A01) El Paso Childrens Hospital Corporation	Pediatrics	11/01/22	10/31/25	Extension

- (3) **ASU, MSU, TTU and TTUHSC: Consulting contracts with an initial consideration of \$100,000 or less per Section 07.12.4.e.(2), Regents' Rules** – “(a) Board approval is not required, but the vice chancellor and chief financial officer, in consultation with the chancellor, presidents, and chief financial officers of the institutions, shall review consulting contracts of \$100,000 or less prior to execution of the contract by the chancellor or president, as appropriate. (b) A report of the contract shall be provided as an Information Agenda item at the next board meeting.”

ASU					
<i>Regents Rules, 07.12.4.e.(2)</i>					
Component	Vendor (Include Contract #)	Consulting Service to be Provided	Term Consideration	Start Date	End Date
ASU	Evergreen Solutions, LLC	Compenstation study for faculty and staff	\$48,500	12/22/2022	04/30/2023

MSU					
<i>Regents Rules, 07.12.4.e.(2)</i>					
Component	Vendor (Include Contract #)	Consulting Service to be Provided	Term Consideration	Start Date	End Date
MSU	(C23353) D. Stafford & Associates	Title IX Compliance Retainer	\$2,000	11/01/2022	10/31/2023

TTU					
<i>Regents Rules, 07.12.4.e.(2)</i>					
Component	Vendor (Include Contract #)	Consulting Service to be Provided	Term Consideration	Start Date	End Date
TTU	(C19846) Association for Advancing Quality in Educator Preparation (Linda McKee)	Virtual consulting meeting for national accreditation purposes	\$1,500	01/23/2023	01/24/2023

TTUHSC					
<i>Regents Rules, 07.12.4.e.(2)</i>					
Component	Vendor (Include Contract #)	Consulting Service to be Provided	Term Consideration	Start Date	End Date
TTUHSC	(CON3411180) K logix LLC	Security Assessment of TTUHSC's ePHI Data Flow	\$ 60,000	10/14/2022	10/13/2023
TTUHSC	(AMEND3167893-001) TK Consulting Physician Assistant Education LLC	Amendment to Compensation - Assist with Accreditation Processes for TTUHSC SHP PA Program	\$ 2,143	1/1/2022	12/31/2022

- (4) **MSU, TTU and TTUHSC El Paso: Contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000 per section 07.12.4 of the *Regents' Rules*** – The following are excepted from the requirements of Section 07.12.3.a and 07.12.3 b, *Regents' Rules*, “the chancellor or president, or the chancellor or presidents designee, as appropriate, is delegated the authority to approve: (i) contracts that involve a stated or implied consideration that total in excess of \$1,000,000 over the entire term of the contract but the per annum amount is less than \$1,000,000; and (ii) any amendment, extension, or renewal of a contract originally approved by the chancellor or president, as appropriate, so long as the amendment, extension, or renewal does not cause the per annum amount of the contract to exceed \$1,000,000. This requirement is applicable to

both cash and non-cash considerations. Information about such contracts or contract amendments, extensions, or renewals that are approved by the chancellor or a president under this delegation of authority shall be provided to the board as an information item at the next regular board meeting.”

Regents Rules, 07.12.4								
TTU: Approved Purchasing Contracts								
Component	Vendor (Include Contract #)	Service or Goods to be Provided	Per Annum Consideration	Term Consideration (includes renewal)	Start Date	End Date	New or Extension	Procurement Method
MSU	(735-20-8225) Anthony Inman Construction	Bridwell Activities Center Renovation	\$54,638.77	N/A	09/01/2022	12/31/2022	Amendment	Request for Proposal (RFP)

Regents Rules, 07.12.4								
TTU: Approved Purchasing Contracts								
Component	Vendor (Include Contract #)	Service or Goods to be Provided	Per Annum Consideration	Term Consideration (includes renewal)	Start Date	End Date	New or Extension	Procurement Method
TTU	(C19860) Amstar	Job Order Contract	\$200,000/year	\$1.6 mil.	Execution	8 years after execution	New	RFP
TTU	(C19861) Basic IDIQ	Job Order Contract	\$250,000/year	\$2.0 mil.	Execution	8 years after execution	New	RFP
TTU	(C19862) LMC Corporation	Job Order Contract	\$500,000/year	\$4.0 mil.	Execution	8 years after execution	New	RFP
TTU	(C19863) Henthorn Commercial Construction	Job Order Contract	\$500,000/year	\$4.0 mil.	Execution	8 years after execution	New	RFP
TTU	(C19868) New Mexico Texas Coaches	Bus Charter Services	\$140,000/year	\$1.2 mil.	Execution	8 years after execution	New	Exempt
TTU	(C19867) King's Highway	Bus Charter Services	\$500,000/year	\$4.0 mil.	Execution	8 years after execution	New	Exempt

TTU	(C14974) Wheels Up Partners, LLC	Air Charter Services	\$450,000/year	\$3.6 mil.	Execution	8 years after execution	New	Exempt
TTU	(C19789) Nikon Instruments	Microscopes, Cameras, Software, Accessories, Supplies and Services	\$600,000/year	\$3.25 mil.	01/06/2023	01/01/2028	New	E&I Cooperative

Regents Rules, 07.12.4							TTUHSC El Paso: Approved Purchasing Contracts						
Component	Vendor (Include Contract #)	Service or Goods to be Provided	Start Date	End Date	New or Extension	Procurement Method							
TTUHSC EP	(10292) Buendia Anesthesia PLLC	Anesthesia MD	10/01/22	09/30/26	New	N/A Professional Services							
TTUHSC EP	(10443) Whitman Professional Services PC	CRNA	12/19/22	08/31/26	New	N/A Professional Services							
TTUHSC EP	(10441) Sun City Dream, PLLC	CRNA	12/19/22	08/31/26	New	N/A Professional Services							
TTUHSC EP	(10436) Belle Anesthesia, PLLC	CRNA	12/20/22	08/31/26	New	N/A Professional Services							
TTUHSC EP	(10434) Atkinson Anesthesia, PLLC	CRNA	12/19/22	08/31/26	New	N/A Professional Services							
TTUHSC EP	(10346) Anderson Ingram Anesthesia PLLC	CRNA	01/04/23	08/31/26	New	N/A Professional Services							
TTUHSC EP	(10338) 4 th Dimension Anesthesia	Anesthesia MD	02/01/23	08/31/26	New	N/A Professional Services							
TTUHSC EP	(10439) Jennifer Duran, CRNA, PLLC	CRNA	12/21/22	08/31/26	New	N/A Professional Services							
TTUHSC EP	(07092-A01) Ceequence Americas, LLC	MPIP	12/30/19	12/29/24	Extension	N/A Professional Services							
TTUHSC EP	(08999-A02) University of Texas System	Psychiatry	09/01/21	08/31/23	Extension	N/A Professional Services							
TTUHSC EP	(09487-A01) Lopez-Salazar Anesthesia, PLLC	CRNA	04/25/22	08/31/25	Extension	N/A Professional Services							
TTUHSC EP	(08758-A01) Mildenhall Anesthesia, PLLC	CRNA	08/09/21	08/31/25	Extension	N/A Professional Services							

TTUHSC EP	(08735-A01) Edwin Martinez Anesthesia Services, PLLC	CRNA	08/17/21	08/31/24	Extension	N/A Professional Services
TTUHSC EP	(08445-A01) Bidwell Anesthesia, PLLC	CRNA	04/01/21	08/31/24	Extension	N/A Professional Services
TTUHSC EP	(01834-A11) Cerner Corporation	IT	02/03/16	08/31/26	Extension	N/A Professional Services

(5) TTUHSC: Contracts for Sponsored Programs Projects per Section 07.12.4.b., 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) Cancer Prevention and Research Institute of Texas grant funding entitled “West Texas Pharmacology Core”, grant year 12/01/2022 through 11/30/2023; award amount \$1,332,683

(6) TTU: Emergency or exigent circumstances approval of a contract by Section 07.12.3.g, Regents' Rules – “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 or of the chair of the Finance and Investments Committee. Contracts approved in this manner shall be presented to the board as an information item at the next board meeting.”

- (a) On November 16, 2022, Chairman Michael Lewis granted an exigent circumstances approval that authorized President Schovanec, or his designee, to execute an amended employment agreement for Greg Sands as the Head Coach for the Texas Tech University men’s golf program. All regents were provided information regarding the terms of the updated employment agreement.
- (b) On November 21, 2022, Chairman Mark Griffin granted an exigent circumstances approval that authorized President Schovanec, or his designee, to conclude the negotiations and execute the necessary documents with Hereford Veterinary Clinic for use of a suitable facility in support of Texas Tech University School of Veterinary Medicine students in the food-animal medicine and surgery rotation. All regents were provided information regarding this agreement.
- (c) On December 27, 2022, Chairman Griffin granted an exigent circumstances approval that authorized President Schovanec, or his designee, to execute an employment agreement extension with Joey McGuire to continue to serve as the Head Football Coach for Texas Tech University. All regents were provided information regarding the terms of the updated employment agreement.
- (d) On January 2, 2023, Chairman Griffin granted an exigent circumstances approval that authorized President Schovanec, or his designee, to execute

employment agreement extensions with Texas Tech University Football Offensive Coordinator Zach Kittley and Texas Tech University Football Defensive Coordinator Tim DeRuyter. All regents were provided information regarding the terms of the updated employment agreement.

- (e) On January 21, 2023, Chairman Griffin granted an exigent circumstances approval that authorized President Schovanec, or his designee, to execute employment agreement extensions with Kenny Perry to continue as the Texas Tech University Football Associate Head Coach /Special Teams Coordinator/Running Backs Coach and Marcel Yates to continue as the Texas Tech University Football Passing Game Coordinator/Secondary Coach; and a new employment agreement with Justin Johnson to serve as the Texas Tech University Football Assistant Head Coach/Passing Game Coordinator/Wide Receivers Coach. All regents were provided information regarding the terms of the employment agreements.

(7) TTUHSC: Report of nepotism exception as provided by Section 03.01.11.h., *Regents' Rules* – “All instances where an employee marries an administrative supervisor, is placed under the administrative supervision of a relative, or is made the administrative supervisor of a relative within the prohibited degree shall be reported to the board as an information item.”

Ms. Hailee Roberts has been employed in Human Resources since November 1, 2016 where she served as an HR Generalist. Effective September 1, 2020, Human Resources report to Penny Harkey as Executive Vice President of Finance and Operations. Ms. Harkey is the mother of Hailee Roberts. Accordingly, a report of nepotism exception information item was provided to the Board of Regents during the August 6, 2020, Board of Regents meeting for Ms. Roberts.

Effective December 16, 2022, Ms. Roberts has been employed in the Lubbock Maintenance and Operations, which is a department within Facilities and Safety Services, as a business manager. Facilities and Safety Services reports to Ms. Harkey as Executive Vice President of Finance and Operations. In her new role, Ms. Roberts' supervision, including her performance evaluations, will be provided by Douglas Lappe, Assistant Director of Lubbock Maintenance and Operations in conferral with Aaron Scherpereel Assistant Vice President of Facilities and Safety Services. All compensation decisions will be brought to Harry Slife, Vice President of Facilities and Safety Services, who will confer with Mr. Coleman Johnson, Executive Chief of Staff to the President, thereby by-passing the Executive Vice President of Finance and Operations. This arrangement will be evaluated at the end of each fiscal year to assure there is effective management of the conflict of interest and to determine whether modifications are necessary.

(8) TTUS: Named Funds per Section 13.02.3a., *Regents' Rules*–“The board delegates approvals to name endowments or other gift funds established through a private gift of less than \$5 million to the president of the benefitting institution, in consultation and cooperation with the chancellor and the vice chancellor of Institutional Advancement. Notice shall be provided to the board of regents as part of the information agenda at the next board meeting.”

The vice chancellor of Institutional Advancement has notified the board of regents by email of all named endowments and other gifts equaling \$100,000 or more given or pledged to the component universities since November 17, 2022.

ATTACHMENTS

ATTACHMENT

1

**TTU Current Horn Professors
(ACS Item 8.)**

Current Horn Distinguished Professors

1981	William J. Conover Mathematics & Statistics	Andreas Neuber Electrical & Computer Engineering
		Brian Shannon Law
1999	Kenneth Ketner Institute for Studies in Pragmatism	2016 Eric Hequet Plant & Soil Sciences
2000	Stefan Estreicher Physics	2018 Yehia Mechref Chemistry & Biochemistry
2003	Loretta Bradley Educational Psychology	2019 Danny Reible Civil, Environmental, & Constructional
2006	Michael Galyean Animal & Food Sciences	2020 William "Bill" Gardner Area of Management
2007	William Casto School of Law	2021 Katherine Hayhoe Political Science
	Eileen Johnson Museum	Naima Moustaid-Moussa Human Sciences
2008	David Larmour Classical & Modern Languages & Literatures	
2010	Victoria Sutton Law	2022 Mindy Brashears Meat Science & Muscle Biology
2011	Bruce Clarke English	Chau-Chyun Chen Chemical Engineering
2013	Hongxing Jiang Electrical & Computer Engineering	
2014	Jingyu Lin Electrical & Computer Engineering	
2015	Guigen Li Chemistry & Biochemistry	

ATTACHMENT

2

**TTUHSC Jerry H. Hodge School of Pharmacy
Pharmacy Income Plan Bylaws
(Consent Item f.)**

~~SCHOOL OF PHARMACY~~
TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER
JERRY H. HODGE SCHOOL OF PHARMACY

PHARMACY INCOME PLAN
BYLAWS

1

PIP Bylaws - original 06/09/95 – Approved by TTUS Board of Regents
PIP Bylaws - amended 05/11/01 – Approved by TTUS Board of Regents
PIP Bylaws - amended 12/11/2014 – Approved by TTUS Board of Regents
[PIP Bylaws - pending amendment 2023](#)

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER
SCHOOL OF PHARMACY

JERRY H. HODGE SCHOOL OF PHARMACY TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

PHARMACY INCOME PLAN

BYLAWS

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Commented [A1]: Note: need to check once all changes made.

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The Bylaws, and all amendments thereto, of the Texas Tech University Health Sciences Center [Jerry H. Hodge](#) School of Pharmacy Income Plan (“PIP”, the “Plan”) are hereby superseded by the amended Bylaws as follows:

ARTICLE I
PURPOSE

The Texas Tech University Health Sciences Center [Jerry H. Hodge](#) School of Pharmacy (the School) has created a separate fiscal plan for the purpose of managing the professional income of its members. This plan shall be named the Pharmacy Income Plan (“PIP”, or the “Plan”) and administered pursuant to the Bylaws set forth in this document and Exhibit A, attached hereto and incorporated by reference herein.

ARTICLE II
2.0 DEFINITIONS

2.1 GLOSSARY

PIP or Plan	Pharmacy Income Plan (“Plan”).
Augmentation	Compensation in addition to Base Salary.
Base Salary	The Base Salary specified in an annual contract between the faculty member and Texas Tech University Health Sciences Center (TTUHSC).
Business Operations Trust Fund	The Business Operations Trust Fund will be the initial depository account for the receipt and disbursement of all Professional Income.
Course and Scope of Employment of TTUHSC	All activities commensurate with one's designated position; assigned activities are based on the percent time of employment, are determined by the needs of each department, and may vary from semester to semester.
Dean	Dean of the Jerry H. Hodge School of Pharmacy of Texas Tech University Health Sciences Center.
Full-time Faculty	School of Pharmacy faculty fully engaged in teaching, scholarship, and/or practice as a full-time employee who works 75-100% FTE as per HSC OP 70.05.
Incentive Compensation	Discretionary payment made only upon recommendation of the Department Chair and Dean and approved by the TTUHSC President.
Institutional Development Fund	Funds used to support the programs of TTUHSC.

Manager of Plan	Assistant Dean of Finance and Administration; also known as PIP Manager.
Memorandum of Appointment	Notice provided to non-tenure faculty members annually prior to September 1. TTUHSC OP 60.08.
Net Plan Income	The sum remaining from gross income after deductions for payments to the Business Operations Trust Fund and the Institutional Development Fund (“IDF”).
Professional Income	Income earned from patient-care related, consultative and direct care services, etc., by the faculty member who participates in the Plan.
School	School of Pharmacy of Texas Tech University Health Sciences Center Jerry H. Hodge School of Pharmacy.
SPEC	School of Pharmacy Executive Committee.
TTUHSC School of Pharmacy campuses	TTUHSC campuses at Amarillo, Abilene, Lubbock, or the DFW Metroplex
TTUHSC President	President of the Texas Tech University Health Sciences Center, or designee

2.2 PLAN COMPOSITION:

The Pharmacy Income Plan shall consist of:

- 2.2.1 Business Operations Trust Fund, which will be the initial depository account for the receipt and disbursement of all professional fee income.
- 2.2.2 An Institutional Development Fund, which will be utilized to support the programs of TTUHSC.
- 2.2.3 A School Development Fund, which will be utilized to support the developmental programs of the School.
- 2.2.4 A School Program Fund, which will be utilized to support the programs of the School.
- 2.2.5 A [PIP](#) Member’s Account, which will be expended at the discretion of the individual faculty member according to the rules of the PIP.

2.3 TOTAL COMPENSATION TO PIP MEMBERS:

Total Compensation shall be comprised of the following:

- 2.3.1 State-appropriated education and general budget funds, contract and grant funds, gift funds, PIP Member’s Account, or other funds designated for salaries by the Board of Regents, as paid to faculty members by the School and reported to the Internal Revenue Service.

- 2.3.2 Augmentation, which shall be defined as that part of Total Compensation, paid from PIP funds or from other sources authorized by the Board of Regents, which is paid to a member pursuant to the Plan that is outside of the amount listed in the annual Memorandum of Appointment.
- 2.3.3 [PIP](#) Member's Augmentation shall be expended at the member's discretion from available member funds in the [PIP](#) Member's account and with appropriate TTUHSC approvals.
- 2.3.4 Incentive Compensation is discretionary and may only be paid upon the written recommendation of the departmental Chair and the Dean and approval of the TTUHSC President.

ARTICLE III

3.0 ORGANIZATION OF THE MEMBERSHIP

3.1. MEMBERSHIP

- 3.1.1. Membership in the Plan shall be required of each faculty member whose appointment at the Health Sciences Center and affiliate institution(s) totals fifty percent (50%) time or greater and who, as a licensed pharmacist, generates income related to patient care. Exceptions to the above may be made only upon written recommendation to the PIP Policy Committee, and the subsequent approval of the [SOP](#) Dean and TTUHSC President.
- 3.1.2. Members of the Plan shall be eligible to participate in its deliberations and to vote upon matters of business and shall be eligible for election to offices and for appointment to committees.
- 3.1.3. A member leaving the faculty terminates membership in the Plan without further rights, privileges, entitlements, or recourse.

3.2. MEETINGS OF THE GENERAL MEMBERSHIP

- 3.2.1 The membership shall meet in general session at an annual meeting in the third quarter of the fiscal year at a location designated by the PIP Chair. Notice of the annual meeting, an agenda, and an annual report developed by the PIP Chair, upon consultation with the Dean shall be made available, upon written request, to each member at least three weeks before the meeting. The annual meeting shall be held simultaneously at all TTUHSC School of Pharmacy campuses by means of interactive telecommunications.
- 3.2.2 Procedures of the annual meeting:
 - 3.2.2.1 Appropriate communications will be provided so that each member is afforded an opportunity to speak and to hear the conduct of the business.
 - 3.2.2.2 The conduct of business shall be limited to that of the published agenda. Other business may be added to the agenda upon majority vote of the membership present at the meeting.
 - 3.2.2.3 The total of all votes from the TTUHSC School of Pharmacy campuses shall constitute the basis for decisions.

- 3.2.2.4 Special meetings may be called by the Dean, the PIP Chair, or upon written petition by twenty-five percent (25%) of the members. Special meetings shall require the same notice as the annual meeting.
- 3.2.2.5 The PIP Chair shall preside at all meetings of the general membership. In the absence of the PIP Chair, the PIP Chair-elect shall preside. The PIP Manager or designee, will serve as secretary at all general and committee meetings.
- 3.2.2.6 Minutes of each meeting shall be circulated to each member within thirty (30) days following the meeting.
- 3.2.2.7 The presence of at least thirty-five percent (35%) of the members shall constitute a quorum.
- 3.2.2.8 Each member shall have one (1) vote and must be present to vote.
- 3.2.2.9 Except where otherwise specified within these Bylaws, a simple majority vote of the members present shall prevail.
- 3.2.2.10 Meetings of the membership shall be conducted according to *Robert's Rules of Order*. If *Robert's Rules of Order* are silent to an issue, then the order of precedence will be the governing documents of the PIP and then the policies and procedures of TTUHSC.

3.3. PIP POLICY COMMITTEE

- 3.3.1. There shall be a Policy Committee.
- 3.3.2. The Policy Committee shall consist of voting and non-voting members.
 - 3.3.2.1. Voting members shall be:
 - 3.3.2.1.1. PIP Chair, who shall chair the committee and be elected from the membership at large; the term of appointment is 1 year. Chair shall begin term on the first day of September following annual elections.
 - 3.3.2.1.2. PIP Chair-elect, who shall be elected from the membership at large; the term of appointment is 1 year. Chair-Elect shall begin term on the first day of September following annual elections.
 - 3.3.2.1.3. PIP Past Chair, who shall serve as a committee member; the term of appointment is 1 year. Past Chair shall begin term on the first day of September following annual elections.
 - 3.3.2.1.4. Each full-time departmental Chair, if the Chair is a member, or in his or her absence, the designee of the departmental Chair.
 - 3.3.2.1.5. Non-voting members shall be the Dean, ~~Associate-Assistant~~ Dean for Finance and Administration, and ~~PIP Manager~~ PIP administrative support staff.
- 3.3.3. Election of officers
 - 3.3.3.1. The officers of the Policy Committee shall be the:
 - 3.3.3.1.1. PIP Chair, who will preside;

- 3.3.3.1.2. PIP Chair-elect, who will succeed the PIP Chair or preside in the PIP Chair's absence and shall otherwise perform the duties prescribed by these Bylaws.
- 3.3.3.2. The PIP Chair-elect shall be elected annually by PIP members to serve a term of one year from September through August to coincide with the academic year.
- 3.3.3.3. In the event of a vacancy:
 - 3.3.3.3.1. During the term of the PIP Chair, the PIP Chair-elect shall fill the remainder of the PIP Chair's term, as well as the ensuing term;
 - 3.3.3.3.2. During the term of the PIP Chair-elect, a new PIP Chair-elect shall be elected at the next regular meeting following the occurrence of the vacancy, and shall fill the remainder of the PIP Chair-elect's term as well as the ensuing term.
- 3.3.4. Meetings
 - 3.3.4.1. The PIP Policy Committee shall meet at the call of the PIP Chair, but not less frequently than every quarter, or on the written petition of one-half (50%+2) of the members of the committee.
 - 3.3.4.2. The presence of majority of the voting members shall constitute a quorum.
 - 3.3.4.3. Each voting member or his or her designee shall have one (1) vote. A simple majority vote of the voting members present shall prevail.
 - 3.3.4.4. Meetings shall be conducted according to *Robert's Rules of Order* (See 3.2.2.10).
- 3.3.5. The Policy Committee shall consider PIP business and recommend policy issues and changes to the Dean.
 - 3.3.5.1. The PIP Chair will communicate recommendations of the Committee to the Dean.
 - 3.3.5.2. The PIP Manager or designee will staff the Policy Committee, maintain minutes, and be accountable to the Dean who is accountable for the operational and fiscal status of the PIP.
- 3.3.6. The PIP Chair may attend the meeting of the School of Pharmacy's Executive Committee (SPEC) when PIP items are to be addressed.
 - 3.3.6.1. The Dean shall be responsible for informing the PIP Chair when an item pertinent to PIP is on the SPEC agenda.
 - 3.3.6.2. The PIP Chair may submit agenda items to the SPEC for policy review and consideration.
- 3.3.7. The Policy Committee may appoint subcommittees as necessary.
- 3.3.8. The Dean and/or PIP President Chair may appoint ad hoc committees to review specific matters when necessary.
- 3.3.9. The Dean shall be accountable to the TTUHSC President for the sound management of the PIP. Final authority on all matters relating to PIP shall reside with the TTUHSC President.

3.4. BUSINESS OPERATIONS

- 3.4.1. The PIP Policy Committee, with the advice and consent of the Dean, shall recommend the appointment of a PIP Manager to serve as the general administrator and fiscal officer of the Plan.

~~The salary of the PIP Manager may be supported by PIP funds, in relation to the percentage of time spent on duties and responsibilities related to PIP activities. Manager of the PIP is the Assistant Dean of Finance and Administration.~~

- 3.4.2. A PIP Business Office, under the direction of the PIP Manager, shall be maintained by the Plan for the administration of PIP affairs.
- 3.4.3. Administrative personnel and consultants may be employed or retained as recommended by the Policy Committee or by the Dean, in accordance with TTUHSC Operating Policies and applicable state and federal laws.
- 3.4.4. Annual operating and capital expense budgets for the Plan shall be prepared and approved in accordance with the Policies and Procedures of the Board of Regents. A summary revenue and expense budget for the coming year shall be submitted to the Policy Committee and to the SOP Dean for recommendation and approval. Budget requests for PIP funds from the various SOP departments and programs will be reviewed, discussed with department and program administration through scheduled budget meetings with the Dean, and approved through the SOP Dean's Office. ~~A summary revenue and expense budget for the coming year shall be submitted in the third quarter of the current fiscal year to the Policy Committee and to the Dean for approval and recommendation. Any changes in the final budget must be reviewed by the Policy Committee and approved by the Dean prior to the submission of the annual budget.~~
- 3.4.5. Financial Reports shall be prepared by the PIP Business office, under the direction of the PIP Manager and submitted quarterly to the Policy Committee, and to the SOP Dean. These reports shall include summary financial data stating monthly and year-to-date billings, income, expenses, and net income to the Program Fund.
- 3.4.6. Collections under the Plan will be recorded for each member and reported to the SOP Dean. An annual statement of funds deposited in the PIP during the fiscal year will be submitted to the appropriate department Chair and the SOP Dean no later than each October 1. These reports will be prepared and submitted by the PIP Business office.
- 3.4.7. Professional fees shall be centrally billed. Collections shall be made by the PIP Business Office in accordance with approved procedures. All collections shall be deposited to the PIP Business Operations Trust Fund. Any exceptions to the billing and collection policy shall be reviewed by the Policy Committee and approved in writing by the Dean.
- 3.4.8. The TTUS Office of Audit Services may, at its discretion, audit the operations of PIP.

Commented [A2]: Per Jannette:

The current bylaws also state that the Manager of the Plan is the Assistant Dean of Finance and Administration. Typically the position of Assistant Dean of Finance and Administration is filled through a school-wide committee which could/should include members of the PIP Policy Committee; however, the final decision as to the candidate to fill the positions ultimately rests with the SOP Dean. Furthermore the duty of serving as the Business Manager of the Pharmacy Income Plan is included in the current Position Description for the Assistant Dean of Finance and Administration.

Commented [A3]: Per Jannette:

A summary revenue and expense budget for the coming year could be submitted to the PIP Policy Committee and to the Dean in the third quarter of the current fiscal year (i.e. March - May) for approval and recommendation. However, the annual budget is typically due to the institution in early June. Additionally, the largest expense related to PIP funds is the transfer out of funds to support the various SOP departments/programs along with the transfer out of funds to the institutional (i.e. President/Chancellor). At this time budget requests for PIP funds from the various SOP departments/programs are reviewed, discussed with department/program administration through scheduled budget meetings with the Dean, and approved through the SOP Dean's Office.

ARTICLE IV

4.0 PRACTICE INCOME PLAN FUNDS

4.1. COMPOSITION

9

PIP Bylaws - original 06/09/95 – Approved by TTUS Board of Regents
PIP Bylaws - amended 05/11/01 – Approved by TTUS Board of Regents
PIP Bylaws - amended 12/11/2014 – Approved by TTUS Board of Regents
[PIP Bylaws - pending amendment 2023](#)

- 4.1.1. A PIP Business Operations Trust Fund shall be established for the receipt and disbursement of all Professional Income under the provisions of the Plan (see Article 4.3).
- 4.1.2. The PIP Business Operations Trust Fund shall make disbursements to the following funds as hereinafter provided:
 - 4.1.2.1. Institutional Development Fund (see Article 4.3);
 - 4.1.2.2. School Program Fund (see Article 4.6);
 - 4.1.2.3. School Development Fund (see Article 4.7);
 - 4.1.2.4. [PIP](#) Member's Account (see Article 4.8).

4.2. SOURCES OF INCOME

- 4.2.1. Pursuant to each faculty member's Assignment and Plan Agreement, each member shall assign all Professional Income to the PIP Business Operations Trust Fund (see Article 4.4).
- 4.2.2. Income from the professional services collected by PIP for services rendered at School of Pharmacy campuses by part-time clinical or volunteer faculty and assigned to the department shall accrue to the PIP Business Operations Trust Fund, unless exempted by recommendation of the departmental Chair, approved by the Policy Committee, and subsequently approved in writing by the Dean.
- 4.2.3. Income earned from any unexpended balances of the Business Operation Trust Fund, Institutional Development Fund, or School Program Fund shall accrue to the respective fund that generated it.

4.3. ITEMS INCLUDED IN PROFESSIONAL INCOME

- 4.3.1. Professional fees generated from patient care services within the campus-affiliated program, including third-party payments, patient care consultations, services, and contracts.
- 4.3.2. Sales revenue for medications sold in the School's pharmaceutical care centers.
- 4.3.3. Management consulting contracts which would involve patient care (eg., contracts between TTUHSC and outside entities for management of rural hospitals pharmacies).
- 4.3.4. All other professional income with the exception of the following:
 - 4.3.4.1. Honoraria and non-professional retainers;
 - 4.3.4.2. Patent income and royalties as shall be established by the TTUS Intellectual Property Policy;
 - 4.3.4.3. Fees for court appearances, depositions, record reviews, other than those given by the member in an official capacity, as approved in writing by the departmental Chair.
 - 4.3.4.4. Payment for editing scientific publications;
 - 4.3.4.5. Non-patient consultation fees earned as a regional or national consultant with nonaffiliated institutions, with written approval of the departmental Chair.
 - 4.3.4.6. Honoraria for continuing education.

4.3.4.7. Exceptions to the above must be approved in writing by the PIP Policy Committee and the [SOP](#) Dean.

4.4. BUSINESS OPERATIONS TRUST FUND

4.4.1. The Business Operation Trust Fund shall be the initial depository account and maintained by the School for the purpose of paying the expenses of the general administrative and business operations of the Plan.

4.5. INSTITUTIONAL DEVELOPMENT FUND

4.5.1. An Institutional Development Fund shall be established for the President of the ~~Health Sciences Center~~ [TTUHSC](#). Expenditures from this Institutional Development Fund shall be at the discretion of the President.

4.5.2. The annual percentage required for allocation to the Institutional Development Fund shall be communicated to the [SOP](#) Dean by the TTUHSC Office of ~~the Executive Vice President of Finance and Administration-Operations~~ in the third quarter of each fiscal year. ~~The annual percentage will be applied to net sales and t~~These funds will then be transferred to the [TTUHSC](#) President ~~of the Health Sciences Center~~ for use.

4.6. SCHOOL PROGRAM FUND

4.6.1. A School Program Fund shall be established.

4.6.2. The School Program Fund shall consist of the balance of professional income account maintained by the PIP Business Operations Trust Fund after all payments required by the Plan.

4.6.3. The School Program Fund shall be expended in support of faculty compensation and benefits, professional liability insurance coverage, direct School business, and functions related to teaching, research, and patient care activities.

4.6.4. Expenditures from the School Program Fund shall be under the direction of the Dean in accordance with those items allowable in Exhibit D.

4.7. SCHOOL DEVELOPMENT FUND

4.7.1. A School Development Fund shall be established for the School to enhance and support development of the School.

4.7.2. The PIP Policy Committee, in conjunction with the [SOP](#) Dean, shall approve the budget of the School Development Fund.

4.7.3. Expenditures from the School Development Fund shall be at the discretion of the [SOP](#) Dean in accordance with those items allowable in Exhibit D.

4.8. MEMBER'S ACCOUNT

- 4.8.1. A [PIP](#) Member's Account shall be established for each member of the Plan.
- 4.8.2. The [PIP](#) Member's Account shall consist of the member's percentage of PIP payments.
- 4.8.3. The [PIP](#) Member's Accounts shall be maintained by the PIP Manager for expenditure at the discretion of the member. Expenditures from the Member's Account shall be under the direction of the member in accordance with those items allowable in Exhibit C.

ARTICLE V

5.0 GENERAL PROVISIONS

5.1. EXCEPTIONS

- 5.1.1. All exceptions granted under provisions of the Plan shall be reviewed and approved in writing by the [SOP](#) Dean annually and with the consultation and advice of the PIP Policy committee.
- 5.1.2. This Plan is created for management purposes only, and nothing in this Plan shall be construed to create a partnership, trust, association, or any other entity.

5.2. CONTRACTS

- 5.2.1. 5.2.1 The Assignment and Plan Agreement shall be executed between each member and the Plan, substantially in the form and content as shown in attached Exhibit B.

5.3. GRIEVANCE COMMITTEE

- 5.3.1. In the event that any member of the Plan has a grievance related to compliance with these Bylaws, the PIP Chair shall name an ad hoc grievance Committee to review and make recommendations to the PIP Policy Committee for resolution. Unresolved grievances will be referred to the [SOP](#) Dean for final resolution.

5.4. AMENDMENT OF BYLAWS

- 5.4.1. These Bylaws may be amended by a two-thirds (2/3) vote of the members present or by a two-thirds (2/3) vote of those responding by written ballot, providing that the amendment shall have been offered at a previous meeting or by written notice not fewer than thirty (30) days prior to the meeting of the membership.
- 5.4.2. These Bylaws or any amendments thereto shall be effective upon approval by the Board of Regents of the Texas Tech University System.

5.5. DISSOLUTION OF PLAN

- 5.5.1. The Plan may be dissolved by the Dean upon recommendation of the TTUHSC President or designee, and approval by a two-thirds (2/3) majority of the [PIP](#) membership, the TTUHSC President, and the Board of Regents.
- 5.5.2. Upon voluntary dissolution of the Plan in order to establish a new organizational structure, all the assets of the former Plan shall be transferred to the new Plan.
- 5.5.3. Upon ultimate dissolution of the Plan, all monies remaining in the PIP Business Operations Trust Fund shall be utilized to discharge obligations of the Plan, with the balance to be distributed by the Dean with the approval of the [TTUHSC](#) President. Accounts receivable remaining outstanding after a one-year period shall be assigned by the PIP Business Operations Trust Fund to the Texas Tech Pharmacy School Foundation (the Foundation), and all collections of such accounts shall inure solely to the benefit of the Foundation.

TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER (“TTUHSC”)

EXHIBIT A: EXPLANATION AND OPERATION OF THE
SCHOOL OF PHARMACY (“School”)
PHARMACY INCOME PLAN (“PIP” or “Plan”)

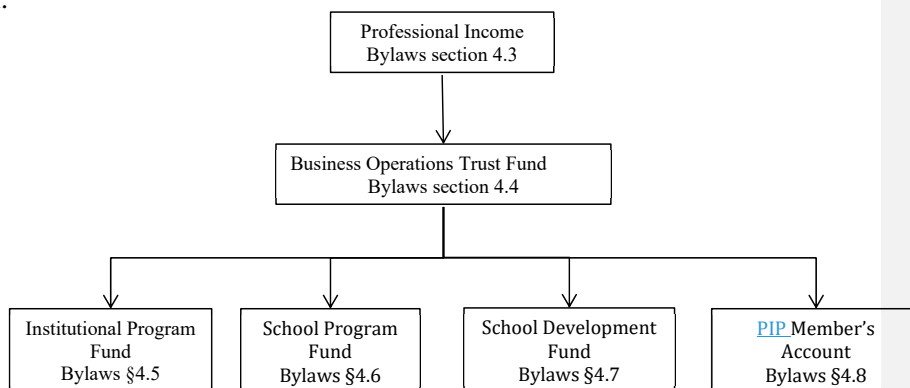
I. PURPOSE OF PIP

The Pharmacy Income Plan (PIP or Plan) is intended as a method to enhance compensation for School of Pharmacy (“School”) faculty involved in providing patient care services. The Plan will also provide funds to enhance the development of TTUHSC, the School, and School Departments. This Explanation and Operation of the Pharmacy Income Plan (PIP) document further explains the operation of the PIP and was approved by the PIP membership on 05/21/2014.

II. PIP FUNDS

- A. Income generated from patient care and other services shall be considered PIP Professional Income. These revenues shall be collected and deposited to the School of Pharmacy PIP Business Operations Trust Fund. Items included in Professional Income are set forth in the PIP Bylaws, section 4.3.
- B. No funds donated to TTUHSC, the School of Pharmacy, or grants between TTUHSC or the School and other entities may be deposited to individual PIP Member’s Accounts. Non-patient care fees, honoraria, or payments for non-patient care consultations, and continuing education presentations, are excluded from the PIP.
- C. There are five (5) main PIP Funds as shown below in **Figure 1** and further described below:

Figure 1.



- 1. Business Operations Trust Fund. This fund is used for initial receipt and disbursement of Professional Income. Additionally, this fund will be maintained for the purpose of paying the expenses of the general administrative and business operations of the PIP -- see section 4.4 of the PIP Bylaws.

2. Institutional Development Fund This fund is solely for the purpose of transferring funds from the PIP Business Operations Trust Fund and for allocation of a fraction of income to support and enhance various programs of TTUHSC. Expenditures from this fund are transferred out of the SOP, and used at the discretion of the President of TTUHSC -- see section 4.5 of the PIP Bylaws.
3. School Program Fund – The purpose of this fund, which is transferred and managed by individual departments, is to support faculty compensation and benefits, faculty travel, professional liability, direct School Business, and functions related to teaching, research, and patient care activities -- see section 4.6 and Exhibit D of the PIP Bylaws.
4. School Development Fund – The purpose of this fund is to enhance and support development of the School. This may include school-wide development activities and functions such as graduation, meals for guests, etc. -- see section 4.7 of the PIP Bylaws.
5. [PIP Member's Account](#). Each PIP member shall have a separate PIP account maintained by the PIP Manager as the Member's Account -- see PIP Bylaws section 3.4 and section 4.8. All deposits to and disbursements from an individual faculty Member's Account shall be documented with an appropriate receipt or record and summarized monthly for each PIP member. These funds may be paid out upon a member's retirement or resignation from the University, contingent upon approval of the Chair of the Department and the [SOP Dean of the School of Pharmacy](#).

PIP FUNDS AND ALLOCATIONS

School Negotiated Contracts

1. *External Contracts:*
 - i. External School negotiated contracts are those in which the School has established a contractual relationship for patient care services with an external business entity (i.e. outside of TTUHSC). Funds from these contracts are typically paid to the School for reimbursement of drug or medically-related items and/or faculty time for patient care services or management. These contractual services are typically not linked to a specific faculty member and are negotiated with assistance and involvement from the Pharmacy Practice Department Chair, Regional Dean, Dean and/or Assistant Dean of Finance and Administration. Renewal of external contracts is a general responsibility of the School of Pharmacy (see **Example 1 below**).
 - ii. All external PIP contracts that would affect a current faculty member's practice and are under consideration or in the process of being drafted and negotiated by the School must be drafted and negotiated in consultation with both the faculty member and the Chair of the Department.
 - iii. For prospective faculty members who are being recruited to fulfill the terms and conditions of a current PIP contract, a copy of the current contract with the outside entity must be provided by the prospective division head or department chair- to that individual before an offer of employment is made.
 - iv. According to the PIP Allocation Formula, set forth below, 25% of gross external contract funds shall be allocated to the PIP Member's Account. The remaining shall be allocated as designated in the PIP Allocation Formula for School Negotiated Extramural Contract Income (see **Table 1 below**).
 - v. If the faculty member chooses to augment his/her salary from PIP, TTUHSC authorized fringe costs -must be paid from the faculty Member's Account per HSC Policy. Fringe costs generally include Social Security Tax (if the faculty member has not exceeded the annual maximum), Medicare Tax, Worker's Compensation and the Lump Sum Vacation Pool.

- vi. If an external contract has provisions for other payments beyond an hourly contracted rate, funds generated from these provisions will be treated in a manner similar to the sale of medications (see Table 3).

Table 1.
PIP Allocation Formula for School Negotiated Extramural Contracts

PIP Allocation Formula	School Negotiated Contract Income <i>*when deposited into PIP Member Account</i>
PIP Member's Account	25% of salaries gross income from contract
Institutional Development Fund	Percentage 2.25% (otherwise determined by TTUHSC)
School Program Fund	67.75% (remainder of sum)
School Development Fund	5% of contract

Example 1: Joe Smith, Assistant Professor, Pharm D

- ~~Base Salary = \$97,500~~ 100,000
- ~~School Negotiated PIP Contract: \$60/hr, 80-20 hours/week maximum~~
- ~~Total hours billed in August = 68.28~~ 80.00
- ~~Total Invoice to Practice Site = \$4,095.00~~ 4,800

Commented [A4]: Changed from 80 hours to 20 hours

Allocation	Amount
Institutional Dean PIP Member's Account	\$204,751,200.00
School Program Fund Institutional Development Fund	\$ 108,002,774.37
PIP Members School Program Fund	\$1,023,753,252
Institutional School Development Fund	\$ 92,13**240.00
TOTAL	\$4,800.00 995.00

Member Distribution	Amount
Member Earnings (25% of gross)	\$1,023,751,200.00
Fringe Costs (~18%)	\$216,00184.27
Augmentation	\$ 839,418600 984.00

Commented [A5]: Calculated \$1,200 - \$216 = \$984

Base Salary Per Month	\$8,333.33 ¹²⁵
TOTAL Payroll Submitted:	\$ 9,317,338,933,3364.48

Commented [A6]: Calculated \$8,333.33 + \$984 = \$9,317.33

Federal Income taxes are then deducted from payroll amount according to withholding elections and tax Brackets.
 Calculation based upon FY2021-2025 Institutional Development Fund rate of 2.25%

2. *Internal Contracts.* Income from these contracts is for patient care and administrative services provided by the School to a defined patient population for which TTUHSC is responsible. The School may be required to manage and provide pharmacy services under either a fee-for-service or capitated basis. Generally, internal contracts shall not be commingled with PIP funds. In those few incidences where internal contracts may be paid directly to the School through PIP, the intramural contract will be treated the same as an extramural School contract for purposes of PIP allocation.

PIP Member Negotiated External Contracts

1. PIP Member negotiated external contracts are those in which the faculty member has negotiated terms and conditions for contractual patient care services with an external business entity (i.e. outside of TTUHSC). These contracts are developed with input from the specific faculty member and assistance from the Assistant Dean of Finance and Administration, as well as the HSC Office of Contracting. No negotiation assistance is provided from the Pharmacy Practice Department Chair, the SOP Dean, or SOP Regional Deans. These agreements also include fee-for-service payments for clinic-based care. Although these services are linked to a specific faculty PIP member, a contractual relationship exists between TTUHSC on behalf of the School and an external entity. The School is paid only when a specified faculty PIP member provided the services. Renewal of external contracts is often dependent on the performance of a specific faculty PIP member, or group of faculty members, rather than a general responsibility of the School of Pharmacy. After 3 years of a PIP-member negotiated contract, the contract will revert to a school-negotiated contract unless the PIP member is exempted based on input from the SOP Dean. Of note, this will only affect PIP-member negotiated contracts from September 2022 and beyond. All PIP-member negotiated contracts prior to this date will not be subjected to this policy.
2. Income generated from Member Negotiated External Contracts shall be allocated according to the Member Negotiated/Earned Allocation Formula (see **Table 2**).

Commented [A7]: Addition – change from PIP-member negotiated to school-negotiated

Table 2.

PIP ALLOCATION FORMULA FOR MEMBER NEGOTIATED/EARNED CONTRACTS

PIP Allocation Formula	TOTAL PROFESSIONAL INCOME DEPOSITED DURING FISCAL YEAR					
	\$1 to \$10,000	\$10,001 to \$20,000	\$20,001 to \$30,000	\$30,001 to \$40,000	\$40,001 to \$50,000	Over \$50,000
PIP Member’s Account	90%	85%	78%	69%	58%	50%
Institutional Development Fund	Percentage Determined by TTUHSC	Percentage Determined by TTUHSC	Percentage Determined by TTUHSC	Percentage Determined by TTUHSC	Percentage Determined by TTUHSC	Percentage Determined by TTUHSC
School Program Fund	remainder	remainder	remainder	remainder	remainder	remainder

School Development Fund	5%	5%	5%	5%	5%	5%
TOTAL Allocation	100%	100%	100%	100%	100%	100%

**Federal income taxes are then deducted from payroll amount according to withholding elections and tax brackets*
Institutional Development Fund percentage may change as directed by HSC Finance and Administration office. The*

School Program fund for member negotiated contracts is calculated the same as school negotiated contracts – the remaining balance is applied to this fund.

3. If the faculty member chooses to augment his/her salary from PIP, TTUHSC authorized fringe costs must be paid from the faculty's Member's Account. Fringe costs benefits generally include Social Security Tax (if the faculty member has not exceeded the annual maximum), Medicare Tax, Worker's Compensation, and the Lump Sum Vacation Pool.
4. If an extramural contract has other payment provisions beyond salary and wages, funds generated from these provisions will be treated in a manner similar to the sale of medications (see Table 3).
5. Pursuant to TTUHSC Operating Policy 70.18, a faculty member may seek employment outside of SOP or TTUHSC executed agreement to perform professional services. Income from any patient care services rendered outside of "normal business hour" (e.g. 8:00 AM to 5:00 PM Monday – Friday) and not on behalf of TTUHSC is not considered PIP income.
6. As a TTUHSC faculty member, benefits (e.g. health insurance, retirement, etc.) are paid. Therefore, members may which to negotiate contracts based on an hourly rate are higher than typical market rates.
7. As a TTUHSC faculty member, malpractice insurance is paid by the School, and legal representation for malpractice claims will be provided by the insurer within the scope of coverage of the insurance policy is services are provided as part of a formal TTUHSC contract. PIP members who provide services outside of a formal TTUHSC member- or school- negotiated PIP contract (e.g., "Dual Reporting and Multiple Employment HSC 70.18") should obtain additional malpractice insurance.
8. PIP Members who provide patient care services and are paid directly by the entity through agreements that comply with HSC Operating Policy 70.18 and have been approved in writing by the Department Chair and SOP Dean may keep 100% of the earnings as this professional work is considered outside the parameters of a faculty member's role within the TTUHSC or SOP.

Payment for PIP members' and residents professional services in School's Pharmacies

1. School-operated pharmacies will be staffed by School faculty (full or part-time), school residents, or non-faculty staff pharmacists. The pharmacy shall pay the full cost of salaries and fringe for all professional pharmacy services provided to the pharmacy.
2. Institutional Development Fund, School Program Fund, and School Development Fund allocations shall be paid annually based on the net income of all school pharmacies combined.
3. Executive, Director, and Administrator salaries are not charged directly to School operated pharmacies. Instead, the pharmacies shall be charged an overhead rate of 20% of the pharmacist-in-charge salaries and fringe benefits to cover the administrative burden.
4. School Residents will be paid normal relief pharmacist's wages for hours worked outside normal business hours, 8:00 am – 5:00 pm, Monday thru Friday. Residents, as part of their approved residency program and under the consultation of the Residency Director and Director of Residency Programs, may be assigned to work in a School pharmacy during normal business hours. There shall

be no PIP payments for residency program hours.

Funds from Sale of Medications at School Operated Pharmacies

1. Funds earned from the **net-revenue sale** of prescription and non-prescription medications and health supplies will first be applied to the payment of the costs of medications, prescription containers, labeling and other pharmacy supplies, and general operating costs of the pharmacy. General operating costs will include non-faculty personnel costs associated with dispensing medications and the PIP faculty member's time spent in dispensing services and related patient care activities (it should include counseling, specific disease state management activities that are a result of dispensing, drug profile review, etc.).
2. The pre-negotiated hourly rate for the faculty PIP member's time will be the only payment made to the faculty member for services related to the sale of prescription and non-prescription medication under their practice supervision. Billing for faculty member's professional services will be at a pre-negotiated rate between the School and the entity receiving the services. Payments received by the Plan for the faculty member's time will be allocated according to the following Payment for Professional Services from Sale of Medications (see **Table 3**). The funds remaining after all pharmacy operating costs and faculty payments have been made will be held in the PIP Business Operations Trust Fund as a reserve against short-falls in operating revenues during subsequent periods.

Commented [A8]: Clarified to add net revenue of sales

Commented [A9R8]: I don't think that is necessary here. In this case, revenues that is brought in to the pharmacy is used to run the pharmacy (e.g. pay for medications, staff, supplies, etc.). This phrase does not deal with the taxation issue.

Table 3.
Payment for Professional Services from Sale of Medications

PIP Allocation Formula	TOTAL PROFESSIONAL INCOME DEPOSITED DURING FISCAL YEAR
Institutional Development Fund	Percentage determined by TTUHSC
School Program Fund	remainder
School Development Fund	5%
TOTAL Allocation	100%

IV. USE OF FUNDS

A. The SOP Dean shall consider the source of PIP funds when determining departmental allocation. The appropriate uses and disbursement of funds are specified in section 4.5, 4.6, 4.7, 4.8, and Exhibits C and D of the PIP Bylaws. The use of these funds may be further limited by Internal Revenue Service rules and requirements. The individual faculty member shall determine the use of funds within his/her individual account, within the constraints of the University's interpretation of related business expenses.

PIP DISBURSEMENT

- A. Funds deposited into Member Accounts will be available for disbursement beginning in the month following the date of service.
- B. There shall be subsequent reconciliation for unpaid services in the month following the date of service.
- C. Faculty members shall not allocate expenses to internal member accounts if funds are not available in member accounts to pay for goods or services. Member accounts shall not maintain negative balances.

NON-FACULTY STAFF (Non-PIP members)

- A. Funds earned from assigned practice by non-PIP members shall be deposited in the PIP Business Operations Trust Fund. Salaries, wages, and/or fringe costs shall be paid from the Business Operations Account.

VII. TOTAL ANNUAL COMPENSATION OF PIP MEMBERS

- A. A PIP member's total annual compensation will be:

$$\begin{aligned} & \text{Annual Base Salary} + \\ & \text{Augmentation From Member's Account} \\ & = \text{Total Annual Compensation} \end{aligned}$$

- B. Total Annual Compensation will not be known until the end of the fiscal year when all payments have been made by PIP to the faculty member.
- C. Base Salary
 - 1. Annual Base Salary is the annual salary that has been authorized by the Board of Regents for the contract year and *does not* include any salary augmentation. *Once approved by the Board for the fiscal year, this is the minimum compensation paid to the PIP member less any faculty leave without pay processed during the year, regardless of PIP earnings.*
 - 2. As with all state agencies, salaries are subject to the availability of funds and the Board of Regents must approve all faculty salaries annually.
 - 3. The Annual Base Salary may be paid from any account (state appropriations [(subject to the FTE cap)], PIP funds, research or educational grants [(as permitted by the grantor)] or contracts, etc.).
- D. Augmentation
 - 1. Augmentation is defined by the PIP Bylaws in Article II, Section 2.3.2.

VIII. GOVERNING DOCUMENT

- A. In the event of inconsistency between this Explanation and Operation of the School of Pharmacy Income Plan and the School of Pharmacy Income Plan Bylaws, the terms of the Bylaws shall govern.

**EXHIBIT B
ASSIGNMENT AND PLAN AGREEMENT**

As a condition of my employment as a member of the faculty of the Texas Tech University Health Sciences Center School of Pharmacy (TTUHSC), I hereby assign to the Pharmacy Income Plan (the Plan) Business Operations Trust Fund all fees charged by me for professional activities, pharmaceutical care, and wages paid by Texas Tech University Health Sciences Center Affiliated Clinical facilities, except those exempted by the Plan. The assignment shall be absolute, subject only to the conditions that TTUHSC shall not alter the fees charged by me, except as provided in the Bylaws of the Plan, and that such fees as are collected shall be used for purposes consistent with the Bylaws of the Plan, or amendments thereto.

I further agree that all monies received by me for such fees and wages will be promptly turned over to the Business Office of the Plan and that all checks made payable to me for such fees and wages will be promptly endorsed and turned over to the Business Office. It is clearly understood that this assignment does not apply to salary received from TTUHSC or to reimbursement of actual expenses incurred under the Plan.

Further, I agree to comply with the Bylaws of the Plan.

This agreement shall terminate when my membership in the Plan ends.

As indicated by my spouse's signature below, if applicable, the undersigned joins this Assignment in acknowledging that such Assignment and Plan Agreement is binding on the marital community pursuant to Texas law.

Member

Date

Spouse of Member

Date

EXHIBIT C
EXPENSES ALLOWABLE FROM THE PIP PLAN MEMBER'S ACCOUNT

This Exhibit has been developed to provide guidelines for expenditure of PIP funds. It is intended to comply with any applicable federal and state laws and regulation including but not limited to riders in S.B. No.1 General Appropriations Bill, Article III, Education, Special Provision Relating Only to State Agencies of Higher Education and as these may be amended. The PIP may have an annual audit of its collections and expenditures by the Texas Tech University System office of Audit Services which will be provided to the Texas Tech University System Board of Regents.

The following expenditures are permitted from PIP Member's Account, subject to availability of funds and the written approval of the Dean.

- A. Augmentation of members' salaries.
- B. Salary or partial salary for faculty and/or staff (within accepted salary ranges and classification including required school benefits) with written approval of the Dean.
- C. General maintenance, operation, and purchase and/or replacement of equipment used in education, research, and patient care.
- D. Ordinary and necessary business expenses incurred by a member in generating professional income, in accordance with IRS guidelines for business expenses.
- E. Travel and other expenses, including registration fees and tuition, incidental to attendance at professional meetings, as well as the support of education, research, and patient care.
- F. Approved professional society memberships.
- G. ~~Group medical, life, disability, supplemental retirement, dental, and vision benefit insurance, and any other insurance benefit deemed appropriate. The departmental Chair, with the approval of the Dean, may individually establish these benefits.~~
- ~~H.G.~~ Texas State Board of Pharmacy annual license fee.
- ~~H.H.~~ Out-of-State annual license renewals.
- ~~H.I.~~ Related educational aids such as books, journals, slides, and digital audio or video files.

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Procedures

- All requests for reimbursement from a Member's Account must contain adequate documentation and must be signed by the person seeking reimbursement.
- All expenditures are subject to TTUHSC Operating Policies and Texas Tech University System Regents' Rules.
- This list of authorized expenditures may be periodically amended by action of the office of the TTUHSC President, upon recommendation of the [SOP](#) Dean.

EXHIBIT D
EXPENSES ALLOWABLE FROM THE PIP SCHOOL PROGRAM FUND AND SCHOOL
DEVELOPMENT FUND

This Exhibit has been developed to provide guidelines for expenditure of PIP funds. It is intended to comply with any applicable federal and state laws and regulations including, but not limited to, riders in S.B. No. 1, General Appropriations Bill, Article III, Education, Special Provisions Relating Only to State Agencies of Higher Education, and as these may be amended. The PIP may have an annual audit of its collections and expenditures by the Texas Tech University System office of Audit Services, which will be provided to the Texas Tech University System Board of Regents.

The following expenditures are permitted from PIP School Program Fund and School Development Fund, subject to availability of funds and the written approval of the Dean.

- A. Augmentation of members' salaries.
- B. Salary or partial salary for faculty and/or staff (within accepted salary ranges and classification including required school benefits) with written approval of the Dean.
- C. General maintenance, operation, and purchase and/or replacement of equipment used in education, research, and patient care.
- D. Ordinary and necessary business expenses incurred by a member in generating professional income, in accordance with IRS guidelines for business expenses.
- E. Travel and other expenses, including registration fees and tuition, incidental to attendance at professional meetings, as well as the support of education, research, and patient care.
- F. Professional society memberships.
- G. Expenses and consultant fees for guest speakers including official entertainment.

~~H. Group medical, life, disability, supplemental retirement, dental, and vision benefit insurance, and any other insurance benefit not paid for by the state of Texas, deemed appropriate. The departmental Chair with the approval of the Dean may individually establish these benefits.~~

~~H.~~ H. Medical and professional liability premiums and reserves.

~~J.~~ J. Texas State Board of Pharmacy annual license fee.

~~K.~~ K. Out of state annual license renewals.

~~L.~~ L. _____ Related educational aids such as books, journals, slides, and digital audio and video files

~~M.~~ M. _____ Official institutional functions and official entertainment for business-related events or for a documented benefit to Texas Tech University Health Sciences Center.

Procedures

- All requests for reimbursement from the School Program Fund must contain adequate documentation and must be signed by the person seeking reimbursement.

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- All expenditures are subject to TTUHSC Operating Policies and Texas Tech University System Regents' Rules.
- This list of authorized expenditures may be periodically amended by action of the office of the [TTUHSC](#) President, upon recommendation of the [SOP](#) Dean.